



***NOTICE OF A WORK SESSION WITH STAFF,  
PUBLIC HEARINGS AND A REGULAR MEETING OF  
THE VINEYARD TOWN COUNCIL  
September 23, 2015 at 6:00 pm***

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Public Notice is hereby given that the Vineyard Town Council will hold a Work Session with Staff starting at 6:00 pm, Public Hearings and a Regular Meeting starting at 7:00 pm, on Wednesday, September 23, 2015, in the Vineyard Town Hall; 240 East Gammon Road, Vineyard, Utah. The agenda will consist of the following:

**AGENDA**

**6:00 PM        WORK SESSION WITH STAFF**

**7:00 PM        REGULAR SESSION**

**1. CALL TO ORDER/PRAYER**

**2. CONSENT ITEMS:**

- a) Approval of July 22, 2015 Minutes
- b) Approval of August 26, 2015 Minutes

**3. PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:** Planning Commission Chair Wayne Holdaway

**4. STAFF REPORTS**

- Public Works Director /Engineer– Don Overson
- Attorney – David Church
- Utah County Sheriff Department – Collin Gordon
- Planner – Aric Jensen
- Treasurer – Jacob McHargue
- Town Clerk/Recorder – Pamela Spencer

**5. COUNCILMEMBERS' REPORTS**

**Dale Goodman – Mayor Pro-tem July – September**

- Public works – Park/Trails/Roads/Buildings
- Planning and Zoning

**Julie Fullmer – Mayor Pro-tem October - December**

- Youth Council
- Branding Committee
- Town Special Events
- Orem Community Hospital Board

**Sean Fernandez – Mayor Pro-tem January – March**

- Timpanogos Special Service District - Board Member
- ULCT Legislative Policy Committee

**Nate Riley – Mayor Pro-tem April – June**

- Economic Advisory Committee
- Utah Lake Technical Committee

**6. MAYOR’S REPORT**

- North Pointe Solid Waste Special Service District - Board Member
- Mountainland Association of Governments
- Council of Governments
- Utah Lake Commission
- Economic Development Corporation Utah
- Meetings with Orem

**7. OPEN SESSION: Citizens’ Comments (Please see note below)**

(15 minutes)

**8. BUSINESS ITEMS:**

**8.1 DISCUSSION AND ACTION – Interlocal agreement with Utah County(Resolution 2105- )**  
(5 minutes)

This is a request by the Election Official for the Town Council to authorize the Mayor by resolution to enter into an Interlocal Agreement with Utah County providing for the parties’ joint efforts to administer the 2015 Municipal General Election and the Utah County 2015 Special Election. The Mayor and Town Council will take appropriate action.

**8.2 DISCUSSION AND ACTION – Interlocal agreement with North Utah Valley Animal Services Special Service District (Resolution 2015- )**  
(5 minutes)

Town Attorney David Church will present an interlocal agreement with the North Utah Valley Animal Services Special Service District. The Mayor and Town Council will take appropriate action.

**8.3 DISCUSSION AND ACTION – Town Center Ordinance**  
(This item was continued from the September 9, 2015 meeting to allow all Councilmembers to consider it.)  
(15 minutes)

- The Applicant is requesting to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.
- The Applicant is requesting to rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone.
- The Applicant is requesting to rezone the parcel west of the Vineyard Connector right of way, east to the existing railroad tracks from 1600 N. South to the 1200 N. Alignment from I-1 Industrial to Vineyard Town Center Zone.
- The Applicant is requesting to amend the land use definitions for The Transit Center, and the Lake Oriented Mixed Use land use categories.
- The Applicant is requesting to amend Chapter 6 of the Vineyard Town Zoning Ordinance relating to the adoption of the new Vineyard Town Center Zone.  
The Mayor and Town Council will take appropriate action.

**9. ITEMS REQUESTED FOR NEXT AGENDA**

**10. CLOSED SESSION**

The Mayor and Town Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of:

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property
- (e) strategy sessions to discuss the sale of real property

## **11. ADJOURNMENT**

This meeting may be held electronically to allow a councilmember to participate by teleconference.

Next regularly scheduled meeting is October 14, 2015

NOTE: “**Open Session**” is defined as time set aside for citizens to express their views. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action will **not** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

The Public is invited to participate in all Town Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Town Clerk at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for the Town of Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Daily Herald, posted at the Vineyard Town Hall, the Vineyard Town website, the Utah Public Notice website, delivered electronically to Town staff and to each member of the Governing Body.

**AGENDA NOTICING COMPLETED ON:** September 22, 2015 at 1:00 PM

**CERTIFIED (NOTICED) BY:** /s/ Pamela Spencer  
**P. SPENCER, TOWN CLERK/RECORDER**

## Utah County 2015 Municipal Election Cycle Estimate

**City:** Vineyard 0

Item	Quantity	Each	Sub Total
Mileage Charges	0	0.55	0.00
Staff hours - special projects	0	0	0.00
<b>Primary Election</b>			
Machine Rental	0	0	0.00
Official Registers	0	0	0.00
Ballots	0	0	0.00
Vote by Mail Ballots	0	0	0.00
Programming	0	0.00	0.00
Precinct Supplies	0	0	0.00
<b>General Election</b>			
Machine Rental	0	100	0.00
Official Registers	0	35	0.00
Ballots	250	0.19	47.50
Vote by Mail Ballots	400	1.34893	539.57
Programming	1	442.33	442.33
Precinct Supplies	0	50	0.00
<b>Total</b>			<b>\$ 1,029.41</b>

**INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND TOWN OF VINEYARD REGARDING THE 2015 NOVEMBER ELECTION**

THIS INTERLOCAL COOPERATION AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between **UTAH COUNTY**, a political subdivision of the State of Utah (the “County”), the **TOWN OF VINEYARD**, a political subdivision of the State of Utah (City) in contemplation of the following facts and circumstances:

- A. **WHEREAS**, municipal general elections will be held November 3, 2015 in the Town (Municipal Elections); and
- B. **WHEREAS**, this Agreement is made pursuant to the provisions of the Interlocal Cooperation Act (Utah Code Title 11, Chapter 13) (the “Interlocal Act”)] and Utah Code § 20A-5-400.1; and
- C. **WHEREAS**, Town has adopted and authorized a vote-by-mail format (VBM) for the Municipal Elections; and
- D. **WHEREAS**, the VBM format is authorized by Utah Code § 20A-3-302; and
- E. **WHEREAS**, the Board of Utah County Commissioners has voted to hold a special election on November 3, 2015 for the citizens of Utah County to consider a ballot proposition that would increase sales and use taxes within the county (Special Election); and
- F. **WHEREAS**, the County and the Town have determined that it is in the best interests of the citizens of Utah County and the residents of Town to administer the Municipal Elections and Special Election jointly (collectively the “2015 Elections”); and
- G. **WHEREAS**, the County and the Cities desire to set forth in writing their agreements regarding the joint administration of the 2015 Elections;

NOW, THEREFORE, the parties agree as follows:

1. **Purpose: Joint Election Administration.** The purpose of this Interlocal Cooperation Agreement is for the County and the Town to jointly administer the 2015 Elections by placing the County ballot proposition on the Town’s Municipal VBM Elections ballots. To the greatest extent possible, the Town will coordinate with the County in establishing uniform procedures for administration of the 2015 Elections as contained herein.
2. **Parties’ Responsibilities.**  
Utah County agrees to:
  - a. Provide manpower and equipment to count all ballots for the 2015 Elections. Equipment in this case means electronic voting machines (DREs) for use in early voting and in polling places on Election Day. Optical scan equipment will be used for vote by mail (VBM) and provisional ballots in polling places on Election Day.
  - b. Provide manpower and equipment to process all applications for VBM ballots, mail and provisional ballots, and process/count them upon return to County and include these ballots in the official election return.
  - c. Provide manpower and equipment to program and test the programming for said elections.

- d. Provide manpower and equipment to prepare, inspect, deliver and retrieve all voting equipment belonging to the County used to administer said elections.
- e. Provide manpower and equipment to provide unofficial election results to Town for posting on their web site.
- f. Provide manpower and equipment to canvass the election returns for the Special Election. The canvass date will be November 17, 2015.
- g. On Election Night, provide the official Election results through the standardized reports (PDF format) as generated by GEMS – the Election programming and management program and system used by the County.

Vineyard Town agrees to:

- a. Provide manpower and equipment for Candidate Filings and receiving and processing of all financial disclosures required by state code and/or Town code..
- b. Use Utah County's poll worker training contractor, Barbara Davies, and pay any and all expenses for poll worker training, early voting poll worker training and rover training should it be needed.
- c. Operate a polling location in its Town on Election Day under the direction of County; to include: recruiting, training and staffing the polling location with an adequate number of poll workers.
- d. Provide manpower and equipment to canvass the election returns for the Municipal Election. The canvass date will be November 17, 2015.
- e. Mileage Reimbursement: Town will reimburse Utah County employees for mileage driven to accomplish the responsibilities contained in the Agreement. Town will make mileage reimbursement at the IRS standard mileage rate for business miles driven for 2015 (57.5 cents per mile). County employees who must drive to fulfill County responsibilities hereunder will submit mileage reimbursement forms to Town.
- f. Pay Utah County up to \$442.33 (four hundred forty two dollars and thirty three cents) for ballot and machine programming. (See attached cost estimate sheet).
- g. Use K&H as VBM, absentee and ballot printing contractor and agree to pay associated costs estimated at up to \$539.57 (seven thousand four hundred and nineteen dollars and twelve cents) for these services. Services to include mailing of all VBM ballots and processing by the County, postage being estimated at .115 per mailed ballot. (See attached cost estimate sheet).
- h. Town will pay a proportional share of the cost of rental equipment and setup of such equipment. This proportion will be calculated for each Town based on the number of ballots returned and its percentage of the total VBM ballots returned for the entire Election. This calculation will be based only on VBM Town ballots returned. The costs will be a proportion of \$9,900 (nine thousand nine hundred dollars) which is comprised of support from Dominion and the rental of 9 optical scan ballot readers plus the associated accessories and a \$50 per machine setup charge.
- i. Vineyard Town will order 2 poll and counter ballots for accessible polling place, provisional and spoiled ballot replacements. At .19 per ballot this equates to \$47.50 (forty seven dollars and fifty cents).
- j. Pay postage of .49 per ballot on all returned undeliverable ballots for both Primary and General Elections. This is actual cost billed to the County bulk mail permit by the U.S. Post Office.

- k. Thoroughly examine and proof all election programming done for the 2015 Municipal Election. The Town will examine and complete all proofs to ensure programming is complete and correct for all of their own ballot styles. Final approval of ballots and programming will rest with the Town.
- l. Pay all reasonable costs associated with recounts, re-canvassing, election contests and any other extraordinary expenses that may arise in connection with this Agreement.
- m. Host on the official Vineyard Town web site a link to or copy of the Official Election Results as hosted on the County Elections web page.
- n. Vineyard Town will not change the format or otherwise alter the official reported results, only displaying them in the form and format as provided by the County.

3. **Access to 2015 Election Processes, Records, and Voter Information.** The County shall have the right to inspect, observe, and access all processes, records, and information related to the administration of the 2015 Elections by the Cities.

4. **Retention of Authority.** The County and the Town shall retain all other duties, responsibilities, and authorities granted to them by the Utah Code not specifically addressed in this Agreement.

5. **Payment.** Notwithstanding the payment amounts listed above, the Town shall pay to the County all expenses directly related to the County's administration of the Municipal Election. Such expenses shall not exceed the actual costs of the administration of the Municipal Election.

6. **Notices.** Any notice, request, demand, consent, approval or other communication required or permitted hereunder or by law shall be validly given or made only if in writing and delivered to an officer or duly authorized representative of the other party in person or by Federal Express, private commercial delivery or courier service for next business day delivery, or by United States mail, duly certified or registered (return receipt requested), postage prepaid, and addressed to the Party for whom intended, as follows:

If to County:  
Utah County  
Attn: Board of County Commissioners  
100 E. Center Street  
Provo, UT 84606  
Facsimile: (801) 851-8136

If to Town:  
Town of Vineyard  
Attn: Pam Spencer, Town Recorder  
240 East Rd  
Vineyard, UT 84058  
Facsimile: (801) 225-3972

7. **Entire Agreement.** This Agreement is the final expression of and contains the entire agreement between the County and the Town with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or terminated, nor may any obligations hereunder be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein. This Agreement constitute the entire agreement between the parties hereto pertaining to the subject matter hereof, and the final, complete and exclusive expression of the terms and conditions thereof. All prior agreements,

representations, negotiations and understandings of the parties hereto, oral or written, express or implied, are hereby superseded and merged herein.

8. **Construction.** Headings at the beginning of each paragraph and subparagraph are solely for the convenience of the parties and are not a part of the Agreement. Whenever required by the context of this Agreement, the singular shall include the plural and the masculine shall include the feminine and vice versa. Unless otherwise indicated, all references to paragraphs and subparagraphs are to this Agreement. In the event the date on which any of the parties is required to take any action under the terms of this Agreement is not a business day, the action shall be taken on the next succeeding business day.

9. **Partial Invalidity.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each such term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

10. **Amendments.** No addition to or modification of any provision contained in this Agreement shall be effective unless fully set forth in writing executed by each of the parties hereto.

11. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

12. **Waivers.** No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of the time for performance of any other obligation or act.

13. **Governing Law.** This Agreement and the exhibits attached hereto shall be governed by and construed under the laws of the State of Utah. In the event of any dispute hereunder, it is agreed that the sole and exclusive venue shall be in a court of competent jurisdiction in Utah County, Utah, and the parties hereto agree to submit to the jurisdiction of such court.

14. **No Separate Legal Entity.** No separate legal entity is created by this Agreement.

15. **Effective Date and Duration.** This Agreement shall terminate after the completion of the 2015 Elections and payment of expenses to the County.

16. **Assignment.** No Party may assign its rights, duties or obligations under this Agreement without the prior written consent first being obtained from all Parties. Notwithstanding the foregoing, such consent shall not be unreasonably withheld or delayed so long as the assignee thereof shall be reasonably expected to be able to perform the duties and obligations being assigned.

17. **Interlocal Cooperation Act.** In satisfaction of the requirements of the Interlocal Act in connection with this Agreement, the parties agree as follows:

- a. This Agreement shall be authorized and adopted by resolution of the legislative body of each party pursuant to and in accordance with the provisions of Section 11-13-202.5 of the Interlocal Act;
- b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each party pursuant to and in accordance with the provisions of Section 11-13-202.5(3) of the Interlocal Act;



- c. A duly executed original counterpart of this Agreement shall be filed immediately with the keeper of records of each Party pursuant to Section 11-13-209 of the Interlocal Act;
- d. The County Clerk is hereby designated the administrator for all purposes of the Interlocal Act, pursuant to Section 11-13-207 of the Interlocal Act; and
- e. Immediately after execution of this Agreement by both parties, each of the parties shall cause to be published notice regarding this Agreement pursuant to Section 11-13-219 of the Interlocal Act.
- f. This Agreement makes no provision for the parties acquiring, holding and disposing of real and personal property used in the joint undertaking as such action is not contemplated as part of this Agreement nor part of the undertaking. Any such provision would be outside the parameters of the current undertaking.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day specified above.

Utah County Authorized by Resolution No. 2015-\_\_\_\_\_, authorized and passed on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

UTAH COUNTY

By: \_\_\_\_\_  
Larry A. Ellertson, County Commission Chairman

Attest:

Approved as to form:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Attorney for the County

Vineyard Town Authorized by Resolution No. \_\_\_\_\_, authorized and passed on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

THE TOWN OF Vineyard

By: \_\_\_\_\_  
Randy Farnworth, Mayor

Attest:

Approved as to form:

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Town Recorder

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Attorney for Town

**INTERLOCAL COOPERATION AGREEMENT**

**Between**

**NORTH UTAH VALLEY ANIMAL SERVICES SPECIAL SERVICE  
DISTRICT AND CITY OF VINEYARD**

**for**

**ANIMAL SHELTER SERVICES**

**THIS AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between NORTH UTAH VALLEY ANIMAL SERVICES SPECIAL SERVICE DISTRICT, a body corporate and politic of the State of Utah, hereinafter referred to as the “District”, and The City of VINEYARD, CITY, a political subdivision of the State of Utah, hereinafter referred to as CITY.

**WITNESSETH:**

**WHEREAS**, CITY is desirous of contracting with DISTRICT for the performance of the hereinafter described shelter services; and

**WHEREAS**, DISTRICT is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

**WHEREAS**, such contracts are authorized and provided for by the provisions of the Utah Interlocal Cooperation Act,

**NOW, THEREFORE**, the parties hereto agree as follows:

**Section 1. EFFECTIVE DATE; DURATION.**

This Interlocal Cooperation Agreement shall be effective as of the day this agreement is executed by the parties and shall terminate on June 30, 2016. This Agreement shall automatically renew July 1, 2016 upon the termination of the original term and shall automatically renew on July 1, each year thereafter for further one-year terms unless otherwise indicated in writing by either party at least 6 months prior to termination of the original or renewal term. If CITY does not desire to renew, CITY shall notify DISTRICT before December 31. This Agreement, however, shall not in any event continue to renew for a period of longer than fifty (50) years from the effective date hereof.

**Section 2. ADMINISTRATION OF INTERLOCAL COOPERATION AGREEMENT.**

DISTRICT and CITY do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Interlocal Cooperation Agreement. DISTRICT and CITY agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953, as amended, that the DISTRICT director or his designee shall act as the administrator responsible for the administration of this Interlocal Cooperation

Agreement. The parties further agree that this Interlocal Cooperation Agreement does not anticipate nor provide for any organizational changes in the parties. DISTRICT agrees to keep all books and records in such form and manner as required by law and further agrees that said books shall be open for examination by CITY at reasonable times. All records created or received by DISTRICT in accordance with this Agreement shall be DISTRICT records.

### **Section 3. PURPOSES.**

This Interlocal Cooperation Agreement has been established and entered into between DISTRICT and CITY for the purpose of outlining the circumstances and conditions under which CITY may utilize the DISTRICT Animal Shelter.

This Interlocal Cooperation Agreement has been established and entered into between DISTRICT and CITY for the purpose of sheltering stray animals found within CITY as provided by state law.

### **Section 4. SERVICES.**

DISTRICT agrees to provide animal shelter services to CITY as hereinafter set forth:

#### **1. Animal Shelter Services**

- A. DISTRICT shall accept at DISTRICT'S animal shelter—or other designated facility—stray, homeless, endangered, or other animals obtained from within the boundaries of CITY pursuant to this agreement.
- B. CITY may bring injured animals to the animal shelter for housing and treatment. Shelter personnel shall evaluate injured animals brought to the shelter by CITY and determine whether it can locate the animal's owner and whether the animal has a treatable condition. If shelter personnel identifies the owner, and determines that the animal has a treatable condition, the shelter may treat the animal. But shelter personnel may humanely dispose of any injured animal that does not have a recognizable owner. The shelter may bill any owner of an injured animal for the treatment received by that injured animal.
- C. DISTRICT may refuse delivery of animals if it determines that its capacity to reasonably receive, care for, or dispose of said animals has been exceeded.

#### **2. Animal Licensing Services**

- A. DISTRICT agrees to license animals for CITY residents and maintain a database with licensing information. DISTRICT agrees to handle all licensing renewals and reminders for CITY residents.
- B. DISTRICT will issue licenses and collect license fees for all unlicensed animals that are adopted or released to residents of CITY.
- C. The CITY agrees to allow citizens to license their animals locally at their offices and forward licensing fees and licensing information to DISTRICT.
- D. All licensing fees paid to the DISTRICT by the CITY shall be in addition to the per animal cost for services rendered as set forth in Section 5 of this Agreement.

### **Section 5. FINANCING.**

## Participating Cities Costs for Services

The DISTRICT shall calculate its budget based on a fiscal year, beginning July 1 and ending June 30. DISTRICT will calculate the CITY's financial contribution by calculating the number of animals brought into its facility during the prior calendar year, January 1 to December 31. DISTRICT intends to calculate the CITY's contribution pursuant to a Calendar year to allow the CITY to have sufficient information to budget for its financial obligation to DISTRICT. DISTRICT will determine the CITY's cost by dividing the operations budget by the total number of animals serviced by the shelter for the CITY. The CITY agrees to pay its percentage of the costs incurred by the shelter according to the percentage of animals from the City serviced by the shelter.

DISTRICT shall bill the CITY between May and July of each year. The CITY agrees to pay at least one half of its bill on or before July 30. The CITY agrees to make any payment due and owing after July 30 on or before January 1 of the subsequent year.

If during the course of this agreement there is an unforeseen expense incurred by DISTRICT, CITY agrees to pay its percentage portion of that bill. This includes, but is not limited to, bills associated with maintenance, utilities, or operations. The CITY agrees to pay its percentage portion of all bills that the shelter is unable to pay because of insufficient reserves or otherwise.

## **Section 6. OPERATION OF ANIMAL SHELTER**

CITY shall comply with the current DISTRICT policies and procedures. DISTRICT may amend these policies and procedures at any time without amending this agreement, but shall notify CITY of any amendments made before DISTRICT implements them. DISTRICT agrees to maintain its Animal Shelter in a humane manner and keep the premises in a sanitary condition at all times and further agrees that it will use humane methods of care and euthanasia as determined by DISTRICT. The CITY shall adopt, and continue in effect during the term of this Agreement, an Ordinance consistent with the provisions of this inter-local agreement. The ordinance shall include at a minimum, provisions that address the following:

- A. Notice to owner requirements as contained in sample code attached.
- B. Redemption by Owner as contained in sample code attached.
- C. Holding Period Requirements as contained in sample code attached.
- D. Disposal of Unredeemed Animals as contained in sample code attached.
- E. Rabies Control as contained in sample code attached. The CITY shall handle its own rabies enforcement. The DISTRICT is not responsible to investigate, transport, or hold any rabid animals.
- F. Animal Licensing as contained in the sample code is attached.

The CITY agrees to address each of these issues in its Code of Ordinances to the extent the issues pertain to the CITY's relationship with the DISTRICT. But the CITY is not required to adopt the language of the sample code provisions or to adopt provisions not pertinent to the CITY's relationship with the DISTRICT.

## **Section 7. METHOD OF TERMINATION.**

This Interlocal Cooperation Agreement will terminate at the end of the term stated in Section 1 of this Agreement. At any time prior to the termination of this Agreement, either party to this Agreement may terminate the Agreement by giving the other party six months prior notice and before December 31, of its intent to terminate the Agreement. This notice shall be delivered by Certified Mail, return receipt requested.

## **Section 8. INDEMNIFICATION.**

The DISTRICT agrees to defend, pay on behalf of, indemnify, and hold harmless the CITY, its elected and appointed officials, employees, and volunteers and others working on behalf of the CITY against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages that may be asserted, claimed, or recovered against or from the CITY, its elected and appointed officials, employees, volunteers, or others working on behalf of the CITY, by reason of any action or non-action by any employee or volunteer associated with this Agreement.

## **Section 9. FILING OF INTERLOCAL COOPERATION AGREEMENT.**

Executed copies of this Interlocal Cooperation Agreement shall be placed on file with the official keeper of records of DISTRICT and CITY, and shall remain on file for public inspection during the term of this Interlocal Cooperation Agreement.

## **Section 10. AMENDMENTS.**

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.

## **Section 11. SEVERABILITY.**

If any term or provision of this Interlocal Cooperation Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of the this Interlocal Cooperation Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Interlocal Cooperation Agreement unenforceable.

## **Section 12. GOVERNING LAW.**

All questions with respect to the construction of this Interlocal Cooperation Agreement, and the right and liability of the parties hereto, shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have signed and executed this Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below:

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

DISTRICT

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_ CITY

\_\_\_\_\_  
Mayor

ATTEST:  
City Recorder

BY: \_\_\_\_\_

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
Attorney for CITY



## COMMUNITY DEVELOPMENT

**SUBJECT:** Implementation of the Town Center District

**MEETING DATE:** September 23, 2015

**TO:** Town Council

**FROM:** John Janson, Consultant  
Aric Jensen, Town Planner

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### REQUESTS:

1. The Applicant (the Town) is requesting to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.
2. The Applicant is requesting to rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone.
3. The Applicant is requesting to rezone the parcel west of the Vineyard Connector right of way, east to the existing railroad tracks from 1600 N. South to the 1200 N. Alignment from I-1 Industrial to Vineyard Town Center Zone.
4. The Applicant is requesting to amend the land use definitions for The Transit Center, and the Lake Oriented Mixed Use land use categories.
5. The Applicant is requesting to amend Chapter 6 of the Vineyard Town Zoning Ordinance relating to the adoption of the new Vineyard Town Center Zone.

**APPLICANT:** Vineyard Town Council

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### BACKGROUND:

Vineyard Town has progressed through a process over the last 9 months to refine the vision and create an implementing ordinance for the future Vineyard Town Center. The property owner and the City engaged in a significant educational effort early on and the process led to additional studies, identification of issues that need to be addressed between the City and the property owner in a development agreement, and general agreement on the foundations of the implementing ordinance. This process has resulted in a new vision that is supported by sub-districts, a study of the potential transportation system, conceptual designs of a large linear park called the Promenade, and a draft ordinance that addresses the entire area including the Lake Front. The draft ordinance is a Form



Based Code that proactively defines what the community would like to see built, as opposed to simply reacting to proposals as they come in.

**SUMMARY OF REQUEST:**

1. Implementation of the Town Center District by amending the zoning ordinance, general plan land use categories, and rezoning property.

**CITIZEN PARTICIPATION:**

A Technical Advisory Committee was formed composed of Council, Planning Commission, the property owner, staff, and interested citizens.

Notice of the Planning Commission meeting was published in the Daily Herald on August 21, 2015. Notice of the meeting was also mailed to all property owners within 500'. No comments were received, except at the Planning Commission hearing.

Notice of the Town Council meeting was published in the Daily Herald on August 30, 2015. Notice of the meeting was also mailed to all property owners within 500'. No comments have been received.

**SUMMARY:**

1. The General Plan Amendment simply augments the existing plan document with more detailed information to clarify the vision for the Town Center.
2. The proposed ordinance includes the following mixed use vision:

“The Vineyard Town Center Village will become a destination with many exciting places to visit, live, recreate, and shop. It will become a village with a strong transit emphasis and a superb park and trail system that connects to Utah Lake. As a transit oriented village, there will be a mix of uses, creating a more balanced community, composed of Districts tied together by great walkable streets. Not only will it function as the town center, it will one day include The Lake Promenade, stretching from the Vineyard Station to the Lake, which becomes the most diverse and intricate activity and event center in the County.”

3. The proposed ordinance includes chapters that cover: Streets, Uses, Building Types, Open Space, Landscaping, Parking, Signs, and Administration
  - A. Streets – the general cross sections for the streets are defined. Special attention was given to Main Street and the Lake Promenade streets as the primary streets in the Town Center. A grid system is established.
  - B. Uses – categories of uses are described. Each district is associated with particular uses. A list of prohibited uses is also included.
  - C. Building Types – eight building types are articulated through charts and drawings. The building types are used to reflect the expectation for the kinds of buildings desired in the Town Center. Each building type has standards that define where the building is sited, how it addresses the street, the amount of windows, façade variation, etc.

- D. Open space – includes the conceptual designs for the Promenade and other park/plaza open spaces. It includes alternatives to facilitate the construction of the Promenade.
- E. Landscaping – street trees and landscaping requirements are identified.
- F. Parking – the location of parking lots, interior islands, and buffering are defined.
- G. Signs – this chapter includes signs on the building, low profile signs, and temporary signs.
- H. Administration – revisions to the process place the uses in the Town Center as permitted uses. Since the form is defined by the ordinance, uses become permitted if they meet the form.

4. Zone Comparisons – the following table compares the existing zones to the proposed zone:

Town Center (existing)	Vineyard Town Center (proposed)
Density – limited in core to 12 units per acre Beyond core – limited to 4-12 units per acre	Density – only limited by form and building type Other districts have different form
Height – 48' in core	Height – varies by district but unlimited in Town Center Station Area
Minimum Heights – 3 stories in core	Varies - 4 stories in TSA, 3 stories in TCMU
Uses – non-residential required on all first floors	Uses – flex space require on Lake Promenade streets from Main to the Station, commercial first floor at Main and Promenade intersections, use ratios to assure a mix of residential and non-residential (office)
Conditional use approvals (PC and TC)	Permitted use approvals
Design Standards – react to proposals	Design Standards – defined by building type

Lake Oriented Mixed Use (existing)	Vineyard Town Center (proposed)
Density – core activity areas not limited if vertical mixed use, otherwise up to 12, 1 unit per acre in non-core areas	Density – only limited by form and building type
Height – not specified in core, 30' non-core	Height – 3 to 4 stories
Minimum Height - none	Minimum Height – one story
Uses - mixed	Uses – mixed in commercial district, residential only in residential area
Conditional use approvals (PC and TC)	Permitted use approvals
Design Standards – some for vertical mixed use	Design Standards – defined by building type

Industrial – 1 (existing)	Vineyard Town Center (proposed)
Use – industrial uses	Use – district proposes open space due to difficult soil conditions (excavated soils)

**FINDINGS:**

- The proposed General Plan amendment provides further information about the vision for the Vineyard Town Center.
- The proposed zoning amendments provide added flexibility, a vision for the area, a clearer set of standards, a conceptual design for the Promenade, addresses transportation issues, and implements the community vision.

**PLANNING COMMISSION ACTION:**

The Planning Commission held a public hearing on September 2, 2015 and voted 5-0 to recommend approval of the request with the following changes:

1. A maximum of 80% residential with a minimum 20% commercial in the TCS District.
2. A maximum of 75% residential with a minimum 25 % commercial in the TCMU.
3. Add indoor/outdoor kennels, fraternity/sorority, and an accessory jail to prohibited use list.

**TOWN COUNCIL HEARING ISSUES:**

The Town Council held a hearing on September 9, 2015, minutes are available but the following is a summary of the main points discussed:

1. The land use percentages for the Town Center (5.10) – the new districts will contain varying percentages of residential versus non-residential use. The Town's concern has been that the whole area could be built as multi-family. The current ordinance required first floors to be non-residential, which most seem to agree is an unmarketable requirement. The Village Office district (74 acres) is 100% non-residential, the TCMU (100 acres) is suggested as a maximum of 75% residential, and the TCS (50 acres) has a maximum of 80% residential. All agreed that to get the market for commercial type uses moving, rooftops are needed. In the case of offices, the developer explained their incentives to build offices are much greater than residential uses due to the return on investment.
2. Transportation – the study revealed that the Vineyard Connector has substantial congestion issues in the year 2040 as it accepts regional traffic from the north and east, as well as traffic generated by the Town Center. The internal circulation flowed well.
3. The Promenade design is included in the ordinance (6.2) – some were concerned about the angled parking causing congestion/back up problems. The one way roads on both sides of the Promenade have been designed with angled parking on both sides of the streets. The Steering Committee wanted to provide for the various functions that could occur within the Promenade and to help accommodate future non-residential uses that could be developed on first floor flex space in the area. These streets are meant to place the pedestrian and Promenade functions first, and not automobiles. This is a different street with a strong placemaking intent. Nonetheless, the drawings in the ordinance are labeled "illustrative" and gives discretion to the Town and Town Engineer to modify as needed.

4. Discretion – an allowance for the Town Planner to have some flexibility in review, was added to the Administration section (10). This is becoming a more common means of dealing with slight variations from standards. “Good cause” would have to be shown to make those changes, but an example could be that a request is made to increase the height of a 4 story building from 48’ to 52’ because the builder wants higher ceilings (say 10’). This option would allow the Town Planner flexibility to approve that without having to go through a development agreement process or a text modification process.
5. The Lake Front Residential District now includes an allowance for Single-Purpose buildings, which could be multi-family.
6. Creation of the parks and Promenade in the Town Center (6.6) – a provision was retained that allows each project to reduce its’ on-site open space requirement (20%) by providing off-site park land, constructing features, or cash. In addition, the option of the land owner to donate park land such as the Promenade (6.1), with the result of eliminating project open space requirements for adjacent properties has been included.
7. The need for a development agreement with the property owner – this was stressed as a step that still needs to be taken. The basic issues that need to be addressed are the roads and open spaces.

#### **RECOMMENDATION:**

The Town Council should hold a public hearing with the understanding that this is a legislative action. The Town Council should recommend **APPROVE** the proposed General Plan Amendment, and Zoning Ordinance Amendment and Rezoning.

#### **PROPOSED MOTION:**

I move that the Town Council accept the findings and **ADOPT** the ordinance approving:

1. A request to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.
2. A request to rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone.
3. A request to rezone the parcel west of the Vineyard Connector right of way, east to the existing railroad tracks from 1600 N. South to the 1200 N. Alignment from I-1 Industrial to Vineyard Town Center Zone.
4. A request to amend the land use definitions for The Transit Center, and the Lake Oriented Mixed Use land use categories.
5. A request to amend Chapter 6 of the Vineyard Town Zoning Ordinance relating to the adoption of the new Vineyard Town Center Zone.

**ATTACHMENTS:**

Attachment 1 – Adoption Ordinance

Attachment 2 – General Plan Amendment

Attachment 3 – Vineyard Town Center Ordinance

**ORDINANCE NO.**  
**AN ORDINANCE OF THE COUNCIL OF THE TOWN OF VINEYARD, UTAH.**

WHEREAS, all due and proper notices of public hearings on this Ordinance held before the Town of Vineyard Planning Commission (the "Commission") and the Council of the Town of Vineyard (the "Town Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-204; and

WHEREAS, the Commission held public hearings on this Ordinance on September 2, 2015; and

WHEREAS, the Commission recommended to the Town Council that this Ordinance be approved; and

WHEREAS, the Town Council held a public hearing on this Ordinance on September 9, 2015.  
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VINEYARD as follows:

SECTION 1. That the Town of Vineyard General Plan is hereby amended by revising the existing land use categories as depicted in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. That the Town of Vineyard Zoning Ordinance Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District is hereby amended by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone and to amend Section 740 Transit Center Zoning District, and Section 750 Lake Oriented Mixed Use District by replacing these sections with a new section titled Section 740 Vineyard Town Center Zone.

SECTION 3. That the Town of Vineyard Zoning Map is hereby amended by rezoning the parcel west of the Vineyard Connector right of way, east to the existing railroad tracks from 1600 North - South to the 1200 North Alignment from I-1 Industrial to Vineyard Town Center Zone and rezone parcels 40:455:004, 40:455:003, and 17:024:002 from Lake Oriented Mixed Use to Vineyard Town Center Zone as shown on Exhibit B.

SECTION 3. That the Town of Vineyard Zoning Ordinance Chapter 6 is hereby amended by the adoption of the new Vineyard Town Center Zone, more particularly depicted in Exhibit C, attached hereto and incorporated herein by reference.

SECTION 4. That the Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 5. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Council of the Town of Vineyard, September 9, 2015.

Randy Farnworth, Mayor

ATTEST:

Pam Spencer, Town Clerk

**LAND USE CATEGORY CHANGES****Town Center**

This area denotes a wide variety of urban-style land uses in a walkable setting. The Town Center is envisioned as the future downtown for the Vineyard, that may one day include a new Town Hall. The most intensive land uses are concentrated near the station area, generally within ¼ mile of the intermodal hub and light rail station. The Town Center Station area will include storefront buildings with mixed uses and medium to high-density residential. This area will provide a complete downtown community experience. The minimum density in this area is 12 units per acre and the minimum building height is 4 stories. There is no maximum density in the Town Center Station area.

In the Town Center Mixed Use area west of Main Street, retail, office, and residential development are allowed. In these areas, horizontal mixed use is anticipated and vertical mixed use is encouraged, especially along Main Street. The density range in this area is also a minimum of 12.0 dwelling units per gross acre with a maximum density of 40 units per acre and four (4) except for office uses that can reach six (6) stories. Building types include storefront and single purpose structures.

These two districts are linked in an east west direction by the Lake Promenade an open space that extends from the Station to Utah Lake, becoming the area's premier park feature. In addition, in a north south direction, Main Street is a grand boulevard that promotes a walkable street environment.

The Village Office district is intended to promote an office park or campus with single purpose buildings predominating except near Main Street where storefront buildings may be allowed. An additional park space is suggested to provide a close by amenity to the office workers.

Design and development of this area should provide for a variety of transportation options that reduce reliance on the individual automobile, and create a coordinated urban design theme supported by high-quality architecture that results in a high degree of identity and sense of place. Pedestrian connections to surrounding residential areas are very important, particularly to connect to restaurants, events, theaters and other entertainment uses.

**Regional Mixed Use Activity Center**

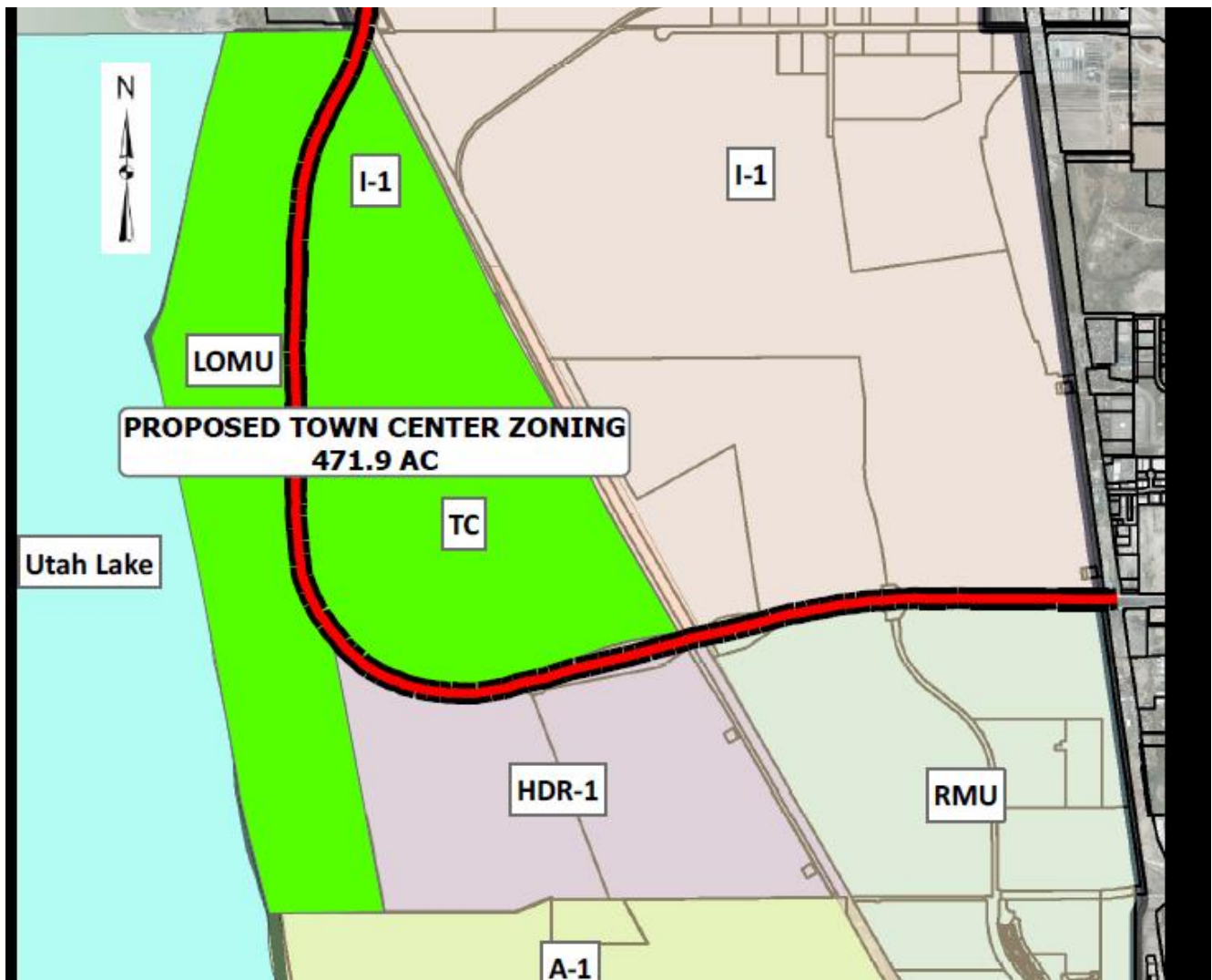
Denotes areas suitable for a mixture of commercial, employment, and supporting residential uses in appropriate locations. Horizontal mixed uses are required and vertical mixed use is encouraged. Residential uses shall be vertically and/or horizontally integrated and complementary to non-residential uses. Non-residential uses occupy the majority of the development area. Residential uses shall not exceed 30% of the land area and densities shall not exceed 20 du/ac. Residential uses shall not be located adjacent to industrial or other incompatible uses and projects shall be designed to provide maximum compatibility with surrounding land uses.



**Lake Oriented Mixed Use**

Denotes areas adjacent to Utah Lake where a mix of recreation, open space, and lower density residential, and commercial land uses can co-exist. Developments may include, but are not limited to, resorts, residential, commercial, parks, and recreation facilities. Vertical mixed uses are encouraged and horizontal mixed use is anticipated in the commercial area near Main Street and the Connector. Development shall be located strategically with appropriate sensitivity to the shoreline and preservation of view corridors to Utah Lake. Residential, and commercial land uses shall not dominate development in the Lake-Oriented area, and shall be complementary to recreational and open space uses that capitalize on the waterfront location and expand public access to the waterfront. The location, construction, design, and operation of all uses in this area must be an asset to the waterfront, must minimize adverse impacts to Utah Lake and the surrounding area, and protect views and accessibility to trails, parks, and open space. These areas may only be developed as part of an overall master plan of at least five (5) acres.

Zoning Map

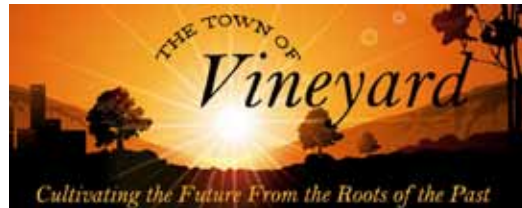


**Town Center Zoning District**

# Vineyard Town Center

Form-Based Code

September 18th, 2015 DRAFT



*Vineyard Main Street*



civilsolutionsgroup inc

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# 1.0 Vineyard Town Center Purpose,Vision, and Intent

## Vision

The Vineyard Town Center Village will become a destination with many exciting places to visit, live, recreate, and shop. It will become a village with a strong transit emphasis and a superb park and trail system that connects to Utah Lake. As a transit oriented village, there will be a mix of uses, creating a more balanced community, composed of Districts tied together by great walkable streets. Not only will it function as the town center, it will one day include The Lake Promenade, stretching from the Vineyard Station to the Lake, which becomes the most diverse and intricate activity and event center in Utah County.



The Lake Promenade will not simply be an open space. It will incorporate and capitalize on the principles of design excellence that include the philosophy providing activities and experiences as you head towards the Lake. Each block will include different design features and activities per block. The experience of walking the Lake Promenade will access locations that command your attention as you traverse any portion of it. Running east/west it will have three major destination points: Utah Lake, Main Street, and the Vineyard Station.



Main Street is a great boulevard that becomes a signature feature due to its' varied widths, colored and textured sidewalks, distinctive tree plantings, bike lanes, parking buffers and planted medians. The street is lined with commercial, office, and mixed residential uses that are oriented to the street. At the 4 corners of the crossing of Main Street with the Lake Promenade, buildings will be setback to provide plazas that add potential restaurant spaces that flow out toward the Lake Promenade.

The Districts are composed of blocks in a network making it easy for pedestrians, bikers and automobiles to move through the City. Transit access and pedestrian accommodations such as spacious sidewalks will minimize the need for cars. Street corner setbacks and the Lake Promenade will reveal views from the mountains to the Lake.



## 2.0 Districts

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### Vineyard Town Center Districts

1. The Town Center Station (TCS) area represents the greatest height, density and intensification of uses lying just west of the Vineyard Station. The building form is a storefront along the Lake Promenade with a minimum of 4 stories. Single purpose buildings are included and auto oriented commercial are encouraged at the intersection of Main and the Connector. A mix of commercial and residential uses will be encouraged through ratios. The Lake Promenade, emanates from the Vineyard Station, providing open space relief from the tallest buildings in the Village. Commuters are daily visitors who are encouraged to linger after work to patronize the events, activities, shops, and restaurants that line Main Street and the Lake Promenade. The Vineyard Station is the eastern focal point that includes a large iconic pedestrian link to the UVU campus on the east side of the UP tracks and Frontrunner.



2. The Town Center Mixed Use (TCMU) district located west of Main Street frames the Lake Promenade and relies on it for views and recreational activities. The corners adjacent to Main Street and the Lake Promenade are setback and buffered, creating outdoor rooms for activities and dining. Building heights along the Connector are a minimum of three stories to reduce traffic noise and reinforce the Town Center. Single Purpose office type buildings are encouraged to reach six stories. Building heights at the intersections of Main Street and the Lake Promenade are also at minimum three stories. A mix of commercial and residential uses will be required through established ratios. The building form includes the storefront on the corners of Main and the Lake Promenade, single purpose, and auto oriented commercial buildings near the Connector on Main Street.



3. The Village Office District promotes office buildings located on a grid system. The Main Street intersection begins with a roundabout, allowing continuous traffic flow and potential corner auto oriented commercial use. At the north end of this district is the proposed Geneva Park, an open space that will obtain some of the soils that will be removed from the Town Center. No buildings are proposed for the Park. The building forms emphasize single purpose buildings throughout, but provide the potential for storefronts, near the roundabout, and auto oriented commercial buildings near the Connector on Main Street. Two stories are required along Main.



- 
4. The Lake Front commercial district is intended to be a resort area promoting access to Utah Lake and potential marina functions. Building forms include storefront, single purpose types and auto oriented commercial buildings near the Connector on Main.



5. The Lake Front Residential district promotes the connection to the edge of the Lake and adjacent trail system. Buildings front on 300 West and on the Lake with internal open spaces and access. Building forms include a mixture of single purpose, townhomes, mansion homes, and small lot single family homes. The Lake Promenade terminates at the shore of Utah Lake and connects to the



Lake Trail.

6. Geneva Park is intended to be the depository location for less desirable material from the Town Center area. The site will be a used as park with no structures permitted except park structures such as pavilions and/or bathrooms. No commercial or residential buildings are permitted on site.



# 2.0 Districts

## 2.7 District Map

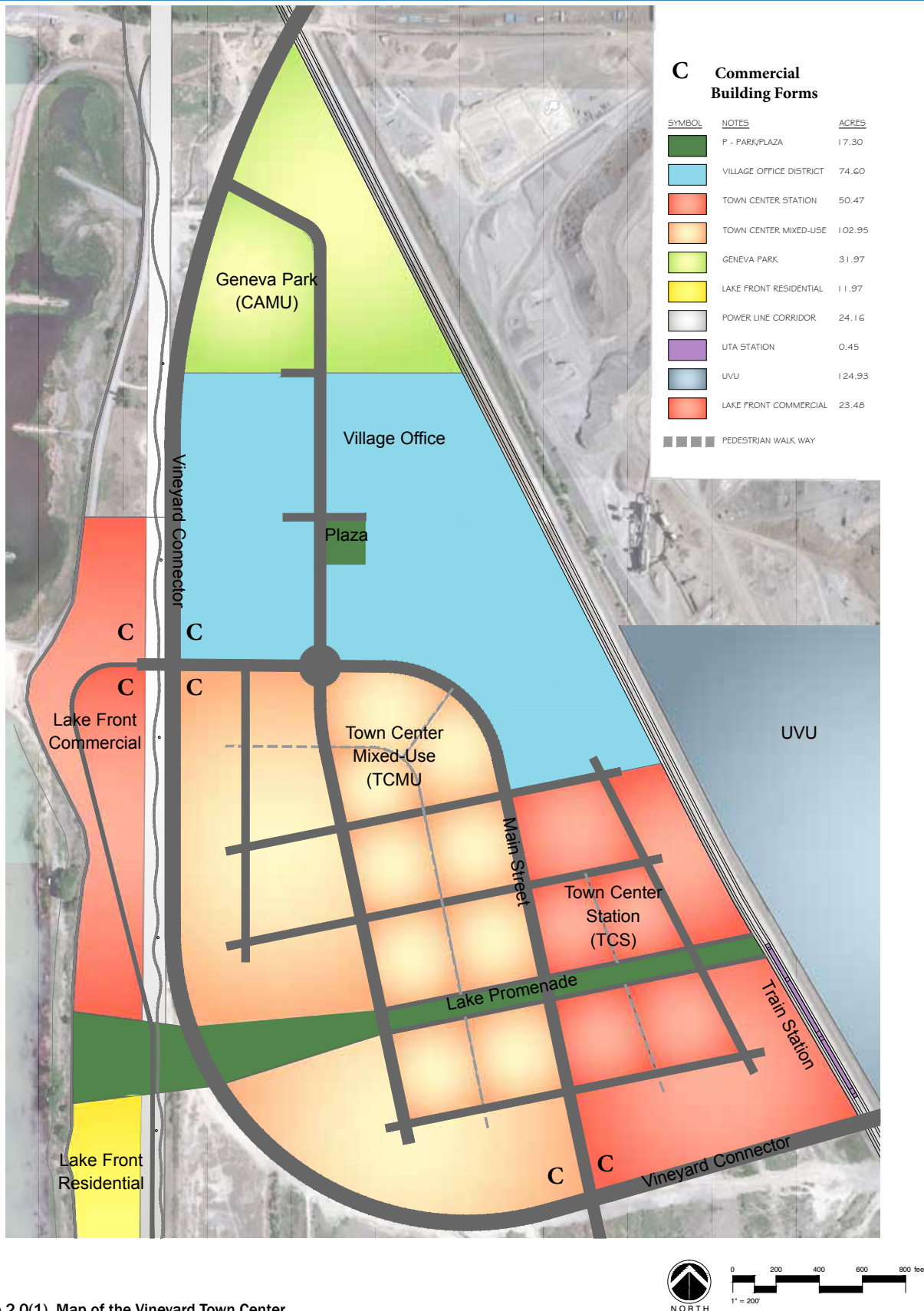


Figure 2.0(1). Map of the Vineyard Town Center.

## 3.0 Street Types

### 3.1 General Requirements.

#### 1. Intent.

The standards outlined in this section are intended to:

- (1) Create complete streets that address all modes of travel including pedestrian traffic, bicycle traffic, transit, and vehicular traffic at speeds appropriate for shared use.
- (2) Address all features of the street right-of-way (ROW), including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
- (3) Create streets and public ROWs that reduce stormwater runoff quantity and improve quality of stormwater runoff.
- (4) Create focal points that emphasize the Lake Promenade and Main Street intersections.

#### 2. General Requirements.

All proposed streets, landscaping or furnishing zones, and sidewalks shall be located in public or private vehicular ROWs as required by this section.

- (1) Street Types. All new vehicular ROWs shall match one of the street types (refer to section 3.4 through 3.8), whether publicly dedicated or privately held.
- (2) Public Use. Streets may be privately (alleys) or publicly owned, but all streets shall be available for public use at all times.
- (3) Gated streets, whether public or private, are not permitted except at the entrance to a secure parking lot.

#### 3. Street Construction Specifications.

All construction in the public and private ROWs shall follow specifications and design defined by the Vineyard Town Engineer and Fire Department.

### 3.2 General Street Type Standards.

#### 1. Street Types.

Street Types defined in this section outline acceptable street configurations. New streets shall be designed using the principles and characteristics defined by each street type or as otherwise approved by the Vineyard Town Engineer upon good cause.

#### 2. Graphics.

The graphics provided in this document, illustrating each street type, are samples of recommendations and illustrate a configuration of that street type. By applying the standards outlined and working with the Town Engineer and Fire Department, other configurations are possible.

#### 3. Typical Street Elements.

Typical elements of a vehicular right-of-way are divided into the vehicular and pedestrian realm. Each street type detailed in this

section outlines which facilities are applicable.

- (1) Vehicular Realm. The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.
- (2) Pedestrian Realm/Street Buffer. The pedestrian realm is typically comprised of pedestrian facilities such as sidewalk, path/trail, or off-street bicycle path. A buffer area is also typically provided consisting of a landscape zone or furnishings zone that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm. Pedestrian paths shall be public if they extend beyond the project boundary. Pedestrian paths shall have direct access to existing public passageways as appropriate.
  - (a) Park Strip. A landscape area between the back of curb or edge of pavement to the sidewalk in which street trees, swales, lighting, and signage may be located. Typically used adjacent to residential buildings.
  - (b) Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located.

#### 4. Vehicular Travel Lanes.

The number and width of vehicular travel lanes are determined by the Street Type.

#### 5. Bicycle Facilities.

The following types of bicycle accommodations are permitted in the vehicular realm per Street Type. Refer to Figure 3.2 (1).

- (1) Dedicated Bicycle Lane. Dedicated bicycle lanes are striped lanes on the outside of the outermost travel lanes that are designated only for bicycle use. This lane occurs on both sides of the street and shall be four to five feet wide.
- (2) Designated Shared Lane. A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum 13 feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a “sharrow”).

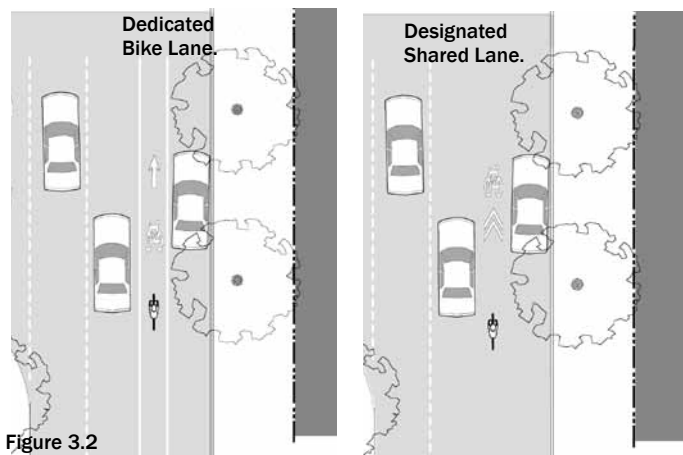


Figure 3.2

## 3.0 Street Types

- (3) Shared Lane. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

### 6. Stormwater Management.

Incorporation of stormwater management best practices is encouraged, such as incorporating drainage swales and slotted curbs into the park strip adjacent to parking lanes. Where achievable, permeable pavement materials should be selected, such as unit pavers, porous concrete, and porous asphalt. For suggested methods refer to Figure 3.2 (2). Final design shall meet the requirements of the Public Works Engineer.

### 7. Street Trees.

Street trees are required along all street frontages. Spacing for trees is 40 feet on center for large trees, 35 feet on center for medium trees and 25 feet on center for small trees. Street trees spacing shall be consistent and uninterrupted when possible. For appropriate street tree types, selections should reflect high water table, saline, alkaline soil types, and be conducive to pruning to provide a clear view of adjacent buildings. See Landscape Chapter.

For large trees the park strip shall be a minimum of 8 feet, for medium size trees the park strip shall be 6-8 feet, and 5-6 feet for small trees.

### 8. Fire Access.

Street configurations have been calculated to provide emergency vehicle access. Where the total width of all travel lanes is narrower than 20 feet, the following shall apply.

- (1) Room to Pass. At 120 foot increments, a 20 foot opening in the on-street parking or a 20 foot dedicated pull-off space must be provided to allow vehicles to pull over for a fire truck to pass.
- (2) Driveway or Fire Hydrant Zone. A driveway or fire hydrant zone may be utilized to fulfill the requirement.

### 9. Underground Utilities.

Power and communication utilities shall be located underground. Associated electrical boxes are encouraged to be located underground.

## 3.3 General Street Layout Requirements.

### 1. Intersections.

- (1) Curb Radii. The following curb radii shall be utilized unless otherwise authorized by the Vineyard Town Engineer upon good cause.
  - (a) Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten



Figure 3.2 (2). Curb Cut and Landscape Storm Drainage Methods



pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 3.3 (1).

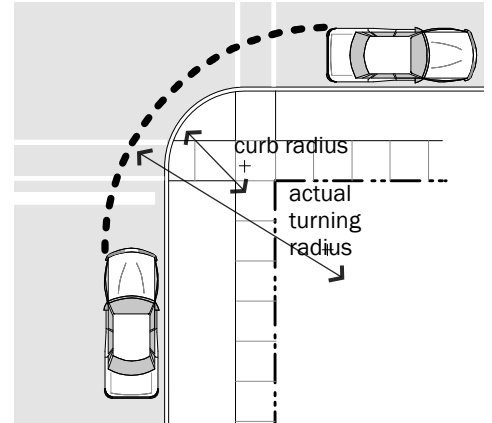


Figure 3.3 (1). Curb Radius Diagram

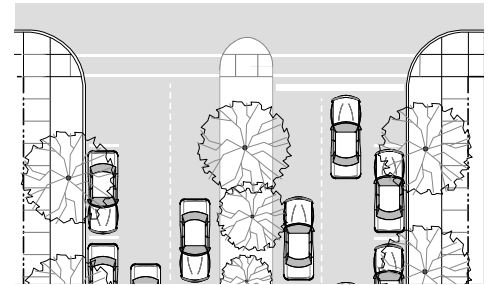


Figure 3.3 (2). Pedestrian Crossing (Median)

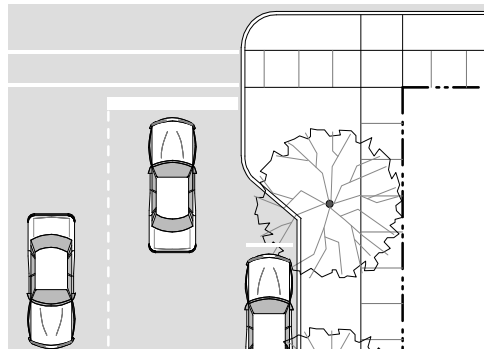


Figure 3.3 (3). Bulb-out Diagram

- (c) At the intersections of Main Street the following curb radii shall be utilized.
    - (i) With on-street parking on both streets, a 15-30 foot range radius is required.
    - (ii) Without on-street parking on either streets, a 25-foot radius is required.
  - (d) Larger Radius. When the design requires a larger curb radius and no on-street parking exists, a 30-foot radius may be utilized. Variations in radii require approval of the Public Works Engineer.
  - (e) Lane Intersections. The curb radius at intersections involving lanes shall be no greater than 5 feet.
- (2) Crosswalks. Crosswalks shall be required at all intersections in Vineyard Town Center, including mid-block pedestrian crossings (unless otherwise authorized by Town Engineer upon good cause).
- (a) Dimensions. Crosswalks shall be at least six feet wide, and 10' on any crossing of Main Street measured from mid-stripe to mid-stripe, per the Manual on Uniform Traffic Control Devices (MUTCD).
  - (b) Markings. Crosswalks shall be appropriately indicated on the finished street surface or where required in parking and access areas. Crosswalks shall be marked with textured or colored pavement, thermoplastic applications, or another marking approved by the Town Planner.
  - (c) Crossing Distances. To encourage pedestrian activity, typical crosswalks shall not extend over 38 feet without a landscape median, bulb-outs and/or other pedestrian refuge to mitigate the effects of vehicular traffic on crossing and increase pedestrian safety and comfort. Refer to Figure 3.3 (2).
  - (d) Accessible ramps and warning panels, per the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.
  - (e) Ramp Orientation. Ramps shall be oriented perpendicular to traffic, requiring two ramps per corner at intersecting streets.
- (3) Bulb-outs. To shorten pedestrian crossing distances, bulb-outs shall be utilized at all intersections, unless otherwise required by the Public Works Engineer. Refer to Figure 3.3 (3).
- (a) The depth of the bulb-out shall match the width of utilized on-street parking.
  - (b) The radius of the bulb-out shall match the requirements for the intersection.
  - (c) Planted areas shall be included where appropriate to delineate pedestrian crossings and to enhance the streetscape.

## 3.0 Street Types

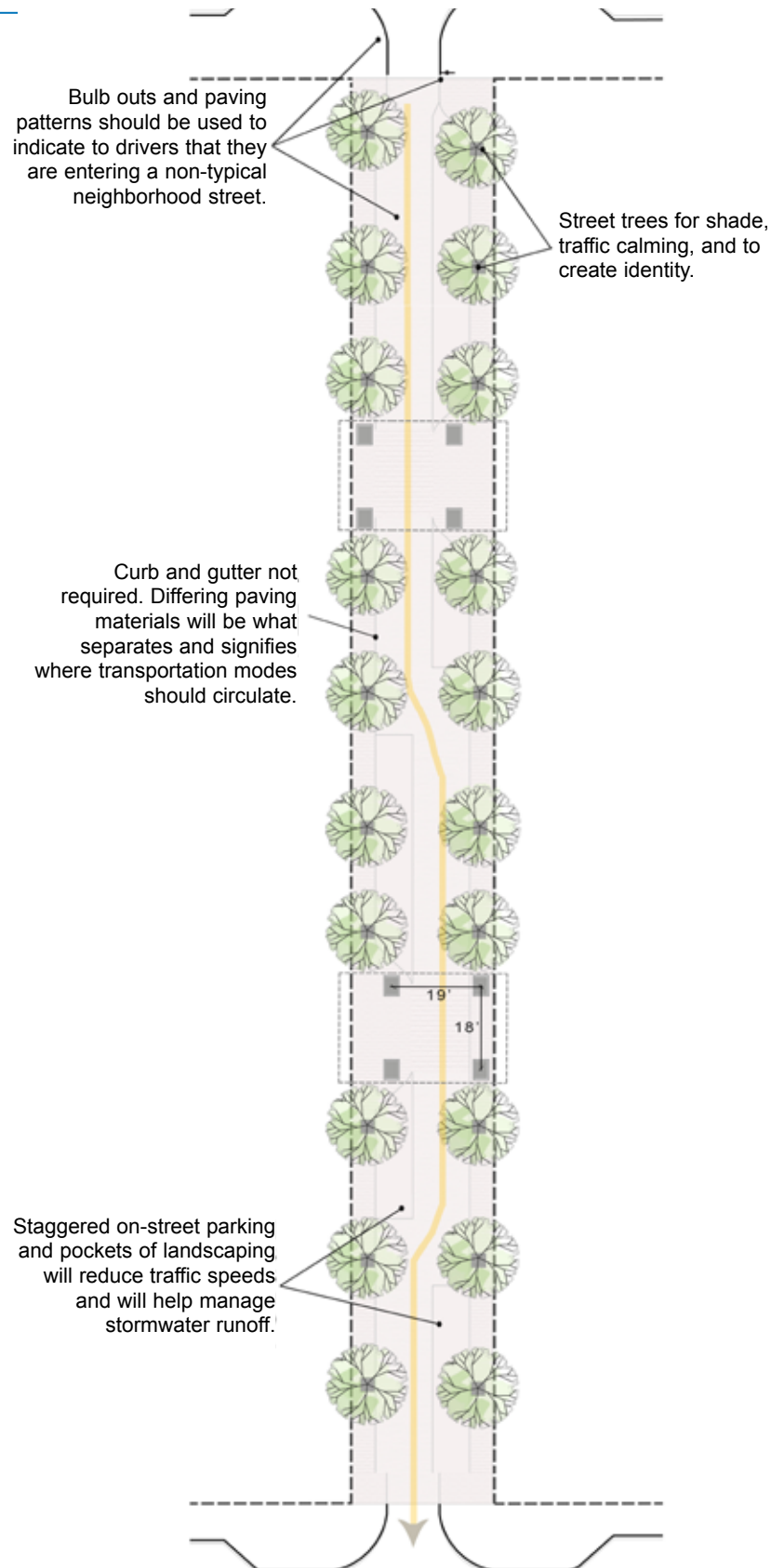


Figure 3.3(4). Alley Plan View (illustrative)

### 3.4 Lake Promenade Street.

#### 1. Description

The Lake Promenade cross-section is designed to facilitate the vision of creating a public right-of-way that doubles as a true public gathering place. Modeled after other great promenades across the nation such as Park Avenue in Portland, Oregon and Commonwealth Avenue in Boston Massachusetts, the Lake Promenade will prioritize pedestrians, bicyclists, and traffic to local businesses. While some users are expected to arrive by automobile and park at surface parking behind the Promenade, the majority are expected to be residents or are anticipated to arrive via the FrontRunner or Light-Rail Transit. Accordingly it is expected that the Promenade will be fully-integrated with the Inter-Modal Hub at its east end and with the lake front on its west end. Sidewalks and protected bike lanes will serve to convey pedestrians and cyclists between these two termini.

The extra wide sidewalks will serve through foot traffic, and depending on width could accommodate street dining, benches, and sidewalk sales/vending. On the street-side of the sidewalk a buffer zone will reserve space for trees, overhead lighting, bike racks, planter boxes, and fire hydrants. Beyond the buffer zone, a protected bike lane separated from on-street parking by median curbing will serve to increase the sense of safety and ease felt by cycling users. To the other side of this bike-separating median, a row of on-street parking will parallel a single traffic thru-lane. Though separated by the 100-foot greenway, the two one-way sides of the road will operate as a single thoroughfare. The center 100- to 120-foot greenway will feature walking paths, benches, public monuments, street arts, open turf areas, and tree plantings.

#### 2. General Requirements.

Lanes shall be developed using the standards in Table 3.4 (1) or as authorized by the Vineyard Town Engineer upon good cause shown.

Table 3.4 (1). Lane Requirements (illustrative).

Lake Promenade Street Requirements	
Permitted Districts	See Map
Permitted Adjacent Building Types	See Building Section
Typical Right-of-Way Width	199' - 221' (includes promenade)
Vehicular Realm	
Travel Lanes	1 way system
Lane Width	11' - 13'
Allowable Turn Lanes	as needed
Parking Lanes	Parallel required on both sides of street
Pavement Width	Minimum 20' on each side
Median/ Promenade	100'
Bicycle Facilities	Protected
Pedestrian Realm	
Pedestrian Facilities	10' - 15'' sidewalk
Street Buffer	Park strip between sidewalk and protected bike lane Varies depending on street tree size, 6' - 8'+. Allows for trees, bike racks, planter beds, street furnishings and lights.

# 3.0 Street Types

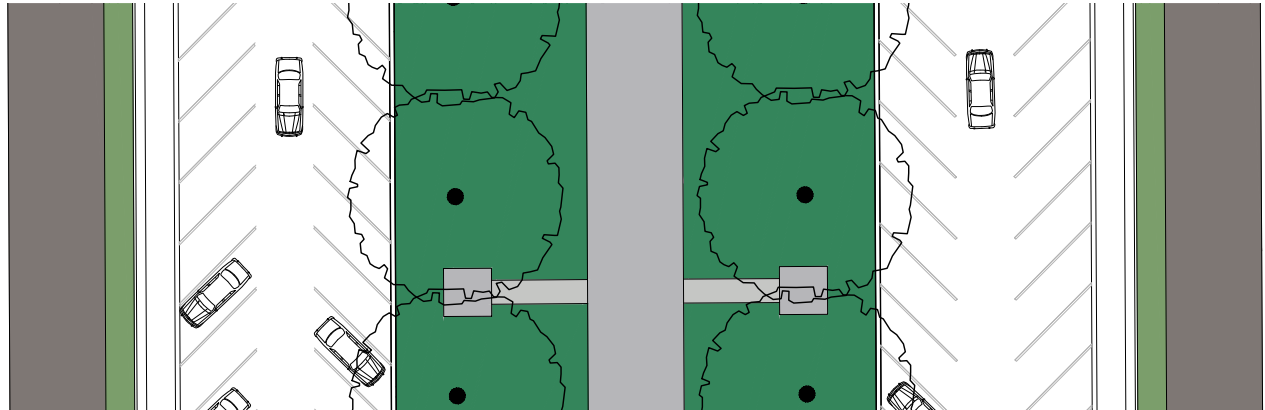


Figure 3.4 (1). Lake Promenade Street Plan View (illustrative)

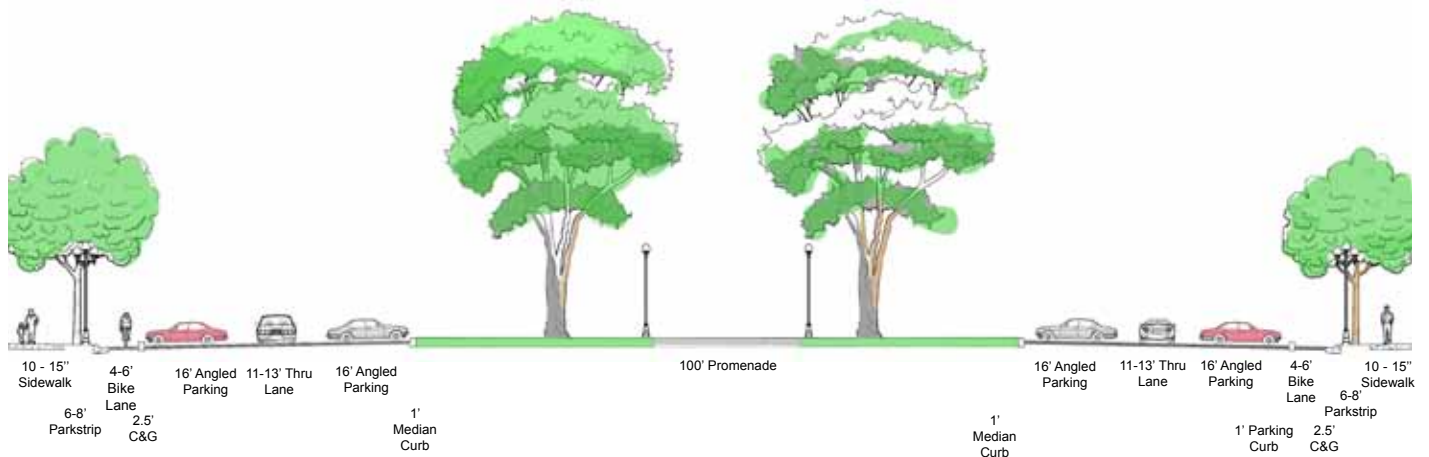


Figure 3.4 (2). Lake Promenade Cross Section (illustrative)

### 3.5 Main Street

#### 1. Intent.

These requirements are included to calm traffic and to improve walkability and bicycle access. Special treatment of landscaping and street trees is encouraged to promote and signify the Vineyard Town Center identity. Changes in street tree types are encouraged in order to promote and identify the Vineyard Town Center and to accent Lake Promenade Street. On street parking is provided. Bike riders are accommodated by a separate lane.

#### 2. Description

One roundabout is anticipated on Main Street at its intersection with its north Vineyard Connector. Main Street will have the highest bicycle and pedestrian focus. Since Main Street is also expected to facilitate street-front buildings through this section, the Main Street cross-section will incorporate a planted median and two thru-lanes in each direction. A significant amount of pedestrian traffic is still predicted with many residents arriving on foot from adjacent districts. Sidewalks along Main Street may be as wide as the Promenade.

#### 3. General Requirements.

This street type shall be developed using the standards in Table 3.5(1) or as approved by the Town Engineer.

Table 3.5 (1). Main Street Requirements (illustrative).

Main Street Requirements	
Permitted Districts	See Map
Permitted Adjacent Building Types	See Building Section
Typical Right-of-Way Width	117' - 149'
Vehicular Realm	
Travel Lanes	2 lanes in each direction
Lane Width	11' - 13'
Allowable Turn Lanes	extra turn lanes as needed at the Promenade
Parking Lanes	Parallel required on both sides of street
Pavement Width	29' - 35' on each side of median
Median	10' - 14'
Bicycle Facilities	4-5' Protected lane
Pedestrian Realm	
Pedestrian Facilities	10' - 15' sidewalk
Street Buffer	Park strip between sidewalk and protected bike lane Varies depending on street tree size, 6' - 8'+. Allows for trees, bike racks, planter beds, street furnishings and lights.



## 3.0 Street Types

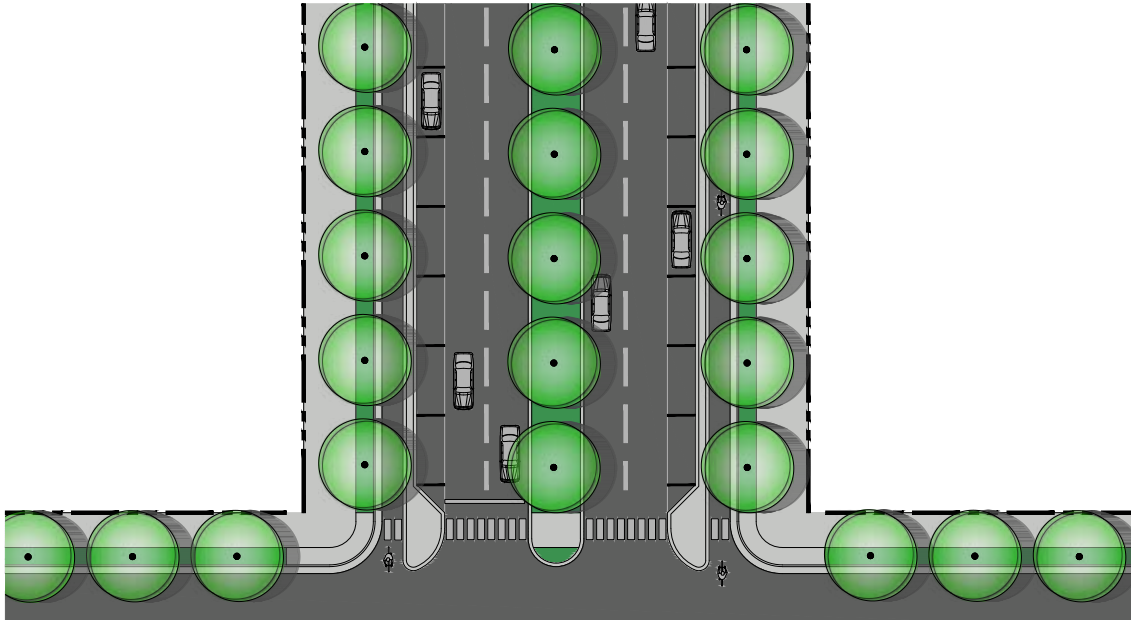


Figure 3.5 (1). Main Street Plan View (illustrative)

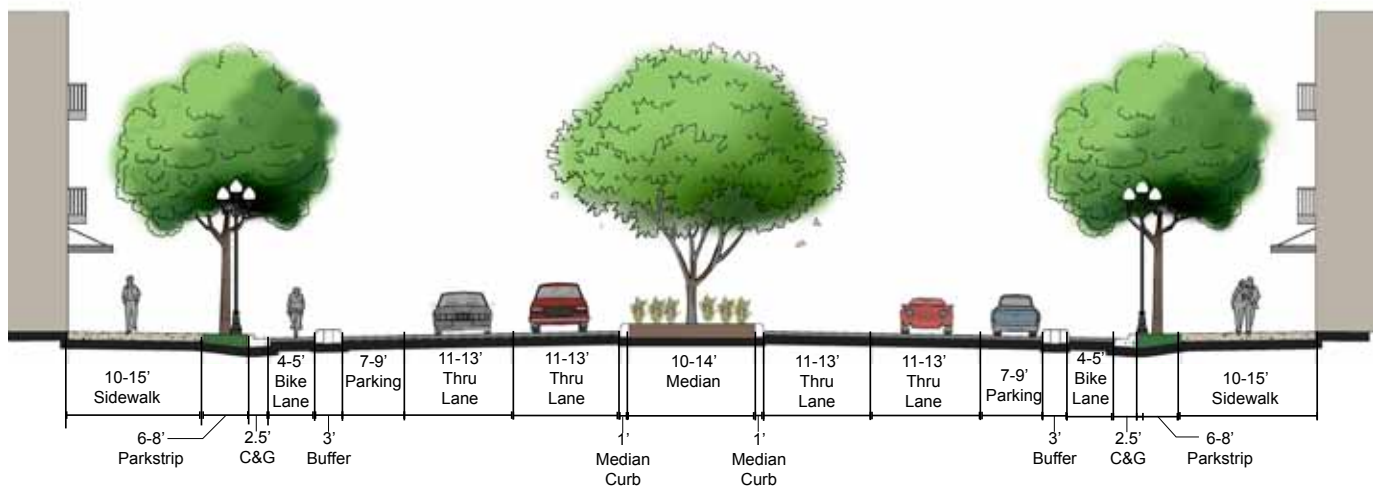


Figure 3.5 (2). Main Street Cross Section (Illustrative)

### 3.6 Side Streets.

#### 1. Intent.

Side Streets are through routes accessing many destinations in the Vineyard Town Center for bicycles, pedestrians, and vehicles.

#### 2. Description.

The side street cross-section is meant to accommodate all other master-planned roads within the Vineyard Town Center. These roads will still accommodate pedestrians and bicyclists, but since they are low-speed and low-traffic active transportation users will not require the same degree of separation or protection. The single through lane on these side streets will be shared and with appropriate pavement markings and signage will be capable of accommodating pedestrians and cyclists. Sidewalk widths will vary from 6-feet to 10-feet with larger sidewalks provided at appropriate locations, and smaller ones serving as the norm. These narrow, but functional side street cross-sections will help to maintain the urban nature of the Town Center throughout the roadway network.

#### 2. General Requirements.

Streets shall be developed using the standards in Table 3.6 (1) or as approved by the Town Engineer..

Table 3.6 (1). Side Street Requirements. (illustrative)

Side Street Requirements	
Permitted Districts	All Districts
Permitted Adjacent Building Types	See Building section
Typical Right-of-Way Width	61' to 81'
Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	11' - 13'
Allowable Turn Lanes	NA
Parking Lanes	Parallel required on both sides of street.
Pavement Width	18' - 22' on each side of centerline
Bicycle Facilities	Shared Bike Lanes
Pedestrian Realm	
Pedestrian Facilities	6' - 10' Sidewalk (10' on Main Street)
Street Buffer	Park strip between sidewalk and protected bike lane Varies depending on street tree size, 6' - 8'+. Allows for trees, bike racks, planter beds, street furnishings and lights.

## 3.0 Street Types

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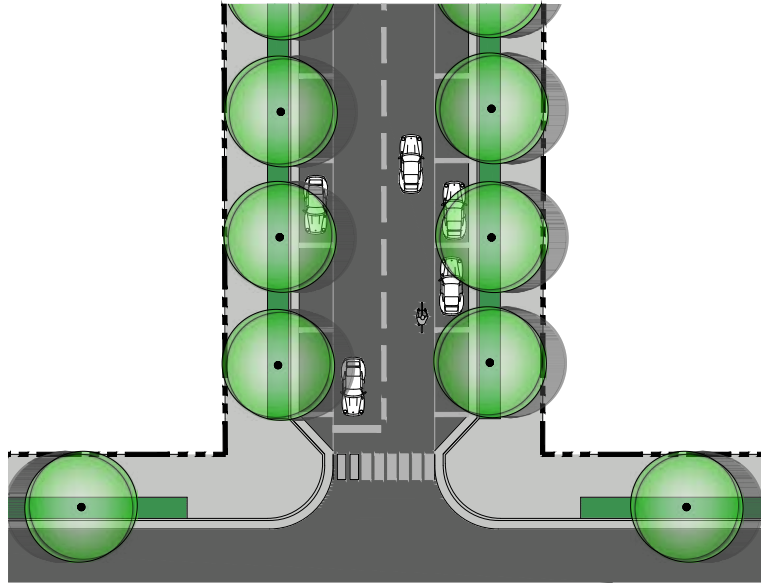


Figure 3.6 (1). Side Street Plan View (illustrative)

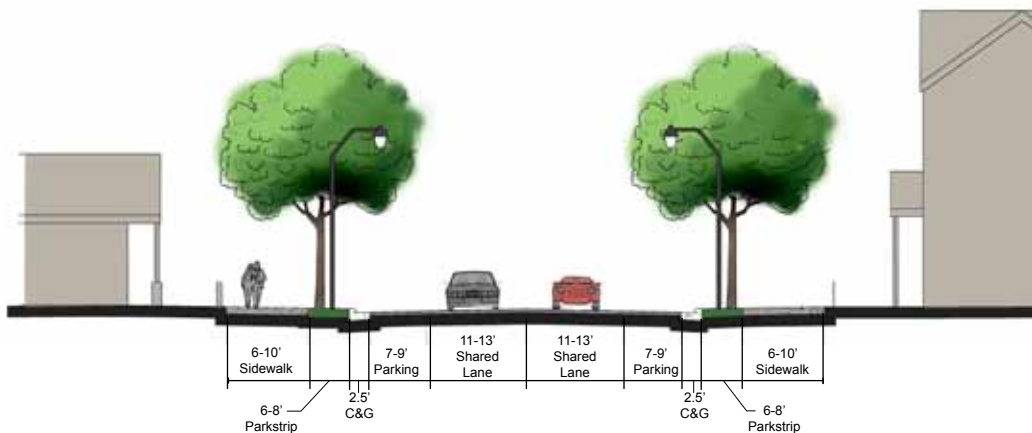


Figure 3.6 (2). Side Street Cross Section (illustrative)

### 3.7. Lake Front Street

#### 1. Intent.

Lake Front Street is envisioned as a resort-style street geared towards leisure and recreation. From its intersection with the Vineyard Connector, this road will head due west towards Utah Lake and then curve to the south skirting the Lake Front, creating behind it (to the east) an opportunity for a commercial development. Accordingly, it is expected the road will be fronted by vertical commercial on the east and the lake front itself on the west. On-street parking and wide sidewalks are planned for the south and east sides of the road to accommodate commercial-bound users, while a median-separated two-way cycle track and wide sidewalk on the west will accommodate lake front-cruising recreationalists. The road will be open to two-way vehicular traffic but will only feature on-street parking on the south and east sides of the road. It is anticipated that as the road continues to the south and approaches the power corridor its cross-section will transition to a different cross-section with a residential focus. Street parking may alternate from one side of the street to the other depending on which side it is needed.

#### 2. General Requirements.

Lake Front Street shall be developed using the standards in Table 3.7 (1) or approved by the Vineyard Town Engineer with good cause.

Table 3.7 (1). Lake Front Boulevard Requirements(illustrative)

Lake Front Boulevard Requirements	
Permitted Districts	Permitted for Lake Front Commercial and Lake Front Residential Districts
Permitted Adjacent Building Types	See Buildings Section
Typical Right-of-Way Width	100' - 120'
Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	11' - 13'
Allowable Turn Lanes	NA
Parking Lanes	Parallel required on one side (see figure 2.____)
Pavement Width	29' - 35'
Median	Permitted
Bicycle Facilities	Not designated
Pedestrian Realm	
Pedestrian Facilities	Minimum 8' wide clear sidewalk
Street Buffer	A larger street buffer should be negotiated with adjacent land owners.

Figure 3.7(2). Lake Front Street Cross Section

## 3.0 Street Types

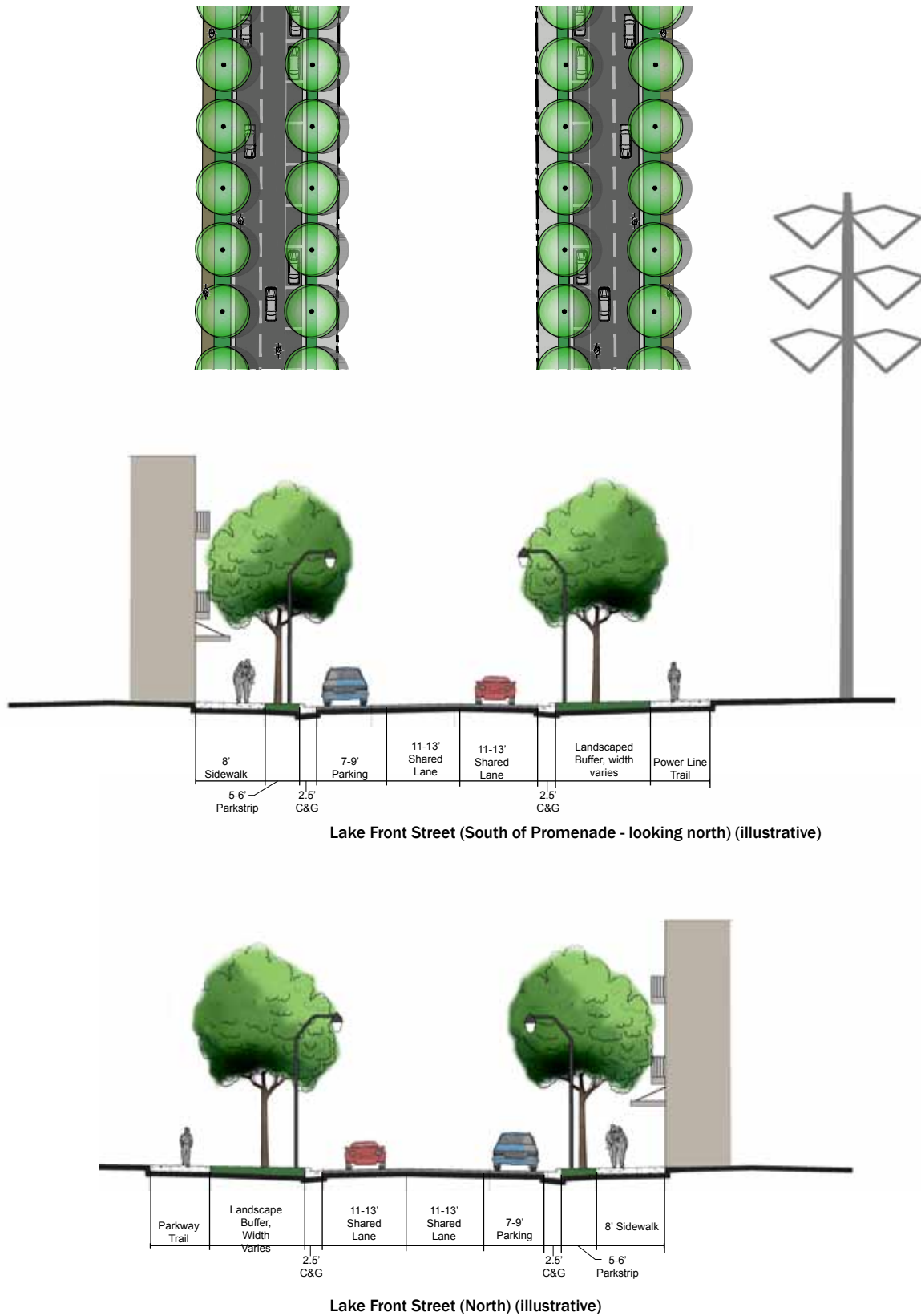


Figure 3.7(2). Lake Front Street

## 4.0 Uses

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### 4.1 General Requirements.

#### 1. General Provisions.

The following general provisions apply to the uses outlined in this section.

- (1) A lot may contain more than one use.
- (2) Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
- (3) Uses are either permitted by-right in a district, permitted by-right with specific development or design parameters, or require a Conditional Use Permit in order to be developed.
- (4) Each use shall be located within a permitted Building Type (Refer to 5.0 Building Types), unless otherwise specified.
- (5) Each use may have both indoor and outdoor facilities, unless otherwise specified.

#### 2. Organization.

The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.

- (1) Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a use permitted within a zoning district, the staff may interpret the use as permitted.
  - (a) The unlisted use will be subject to any development standards applicable to the similar permitted use.
  - (b) If the unlisted use is similar in nature and impact to a use requiring a Conditional Use Permit, the staff may interpret the use as also requiring a Conditional Use Permit.
- (2) Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a land use that is either permitted or requires a Conditional Use Permit, the use is not permitted and may only be approved through an amendment of this code or in a development agreement.

#### 3. Use Table.

Table 4.1 (1). Uses by District outlines the permitted uses in each land use district. Each use is given one of the following designations for each zoning district in which that use is permitted.

- (1) Permitted ("P"). These uses are permitted by-right in the districts in which they are listed.
- (2) Requires a Conditional Use Permit ("C"). These uses require administrative review and approval in order to occur in the districts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the Conditional Use.
- (3) Listed uses that are not permitted in the district are indicated by "NP".

### 4. Building Types.

The uses permitted within each district may be further limited by the building types permitted. Refer to 5.0 Building Types.

#### 5. Prohibited Uses.

- (1) The following uses are prohibited in the Vineyard Town Center:
- (2) Automobile sales and leasing
- (3) Bail bonds
- (4) Billboards
- (5) Blood plasma center
- (6) Car title loan business
- (7) Check cashing/deferred deposit loan
- (8) Commercial outdoor recreation
- (9) Detention facility/jail as a principal use
- (10) Indoor/outdoor gun range
- (11) Outside storage or display
- (12) Massage parlor as the principal use
- (13) Moving truck rental
- (14) Non-stealth wireless communication facilities
- (15) Non-stealth radio towers
- (16) Indoor/Outdoor kennel as a principal use
- (17) Call services and service-oriented escort bureaus
- (18) Pawnshop
- (19) Retail tobacco specialty store
- (20) Sale and/or lease of mobile homes, travel trailers, campers, motorcycles and other recreational vehicles
- (21) Secondhand precious metal dealer/processor and/or precious gem dealer
- (22) Secondhand store
- (23) Self-storage facility
- (24) Sexually-oriented business
- (25) Tattoo establishment
- (26) Taxicab business
- (27) Tavern, as defined by State Code
- (28) Fraternity/sorority houses

## 4.0 Uses

Table 4.1 (1). Uses by District.

Uses	Districts				
	Town Center Station	Town Center Mixed Use	Village Office	Lake Front Residential	Lake Front Commercial
Mixed Use	P	P	M	NP	P
SLSFDs	NP	NP	NP	P	NP
Multi-family	P	P	NP	P	NP
Townhouse and/or Mansion	NP	NP	NP	P	NP
Hotel/Inn	P	P	P	NP	P
Civic	P	P	P	NP	NP
Parks/Plazas	P	P	P	P	P
Neighborhood Retail	P	P	P	NP	P
Neighborhood Service	P	P	P	NP	P
Office	P	P	P	NP	P
Home occupations	P	P	NP	P	P
Parking Lots	P	P	P	P	P
Parking Structures	P	P	P	NP	P
Signs on buildings	P	P	P	P	P
Low profile signs	P	P	P	P	P
Temporary A-Frame signs	P	P	P	P	P

### KEY

C - Conditional

P - Permitted

NP - Not Permitted

M - Permitted Only on Main Street

<sup>1</sup> Second floors and above

## 5.0 Building Types

### 5.1. Introduction to Building Type Standards.

#### 1. Introduction.

The Building Types detailed in 5.0 Building Types outline the required building forms for new construction or upon development agreement.

#### 2. General Requirements.

All Building Types must meet the following requirements.

- (1) Zoning Districts. Each Building Type shall be constructed only within its designated districts. Refer to Table 5.1 (1) Allowed Building Types by District.
- (2) Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to section 4.0 Uses for uses permitted per district. Some Building Types have additional limitations on permitted uses.
- (3) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the zoning district of the lot unless modified by a development agreement.
- (4) Permanent Structures. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted. Food trucks and other vendors may be allowed along Main and near the Vineyard Station through a separate permit.
- (5) Accessory Structures.
  - (a) Attached accessory structures are considered part of the principal structure.
  - (b) Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
    - (i) Detached accessory structures are not permitted in the front yard.
    - (ii) Detached accessory structures shall be located behind the principal structure in the rear yard.
    - (iii) Detached accessory structures shall not exceed one story.
  - (c) Accessory structures shall be built in a manner compatible with the primary building.

### 5.2 Explanation of Building Type Table Standards.

The following explains and further defines the standards outlined on the tables for each Building Type, refer to 5.3 through 5.9.

#### 1. Building Siting.

The following explains the line item requirements for each Building Type Table within the first section entitled "Building Siting."

- (1) Multiple Principal Structures. The allowance of more than one principal structure on a lot.

Table 5.1 (1). Allowed Building Types by District.

Building Types by District		Districts				
Building Types		Town Center Station	Town Center Mixed-use	Village Office	Lake Front Commercial	Lake Front Residential
	Storefront	P <sup>1</sup>	P <sup>1</sup>	M	P	NP
	Commercial	M <sup>2</sup>	M <sup>2</sup>	M <sup>2</sup>	P	NP
	Civic Building	P	P	P	P	NP
	Single Purpose	P <sup>3</sup>	P	P	P	P
	Mansion Style	NP	NP	NP	NP	P
	Townhouse	NP	NP	NP	NP	P
	SL SFD	NP	NP	NP	NP	P
	Parking Structure	P	P	P	P	P

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main

1 Required on Main Street and Promenade Street intersection and east to Station

2 Only allowed at the intersections of Main Street and Vineyard Connector

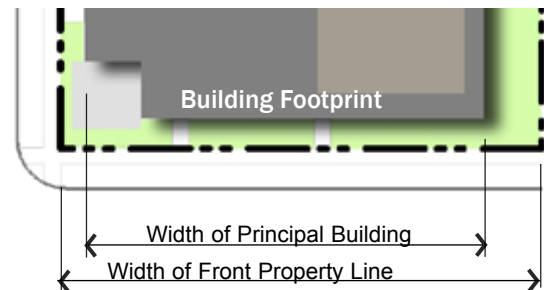


Figure 5.2(1). Measuring Front Property Line Coverage.

- (2) Front Property Line Coverage. Refer to Figure 5.2 (1). Measuring Front Property Line Coverage. Measurement defining the minimum percentage of street wall or building facade required along the street. The width of the principal structure(s) (as measured within the setbacks) shall be divided by the maximum width of the front property line.
  - (a) Certain buildings have this number set to also allow the development of a courtyard along the front property line.
  - (b) Some building types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width of up to



## 5.0 Building Types

one double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a maximum of 65 feet.

- (3) Occupation of Corner. Occupying the intersection of the front and corner setbacks with a principal structure.
- (4) Front Setback. The setback parallel to the front property line. Building components, such as awnings or signage, decks are permitted to encroach beyond the setback.
  - (a) All setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
- (5) Corner Setbacks. The setback parallel to the side property line.
  - (a) All setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
  - (b) The corner of Main Street and Lake Promenade Street shall include a 20' triangular area measured from the intersection of the property line, such areas are intended as corner plazas. See Figure 5.2 (2)
- (6) Minimum Side Yard Setback. The minimum required setback along a side property line.
- (7) Minimum Rear Yard Setback. The minimum required setback along a rear property line.
- (8) Minimum & Maximum Lot or Building Width. Depending on the Building Type, either the minimum or maximum building or unit width will be noted or the minimum and maximum width of a lot, all measured at or parallel to the front property line.
- (9) Maximum Impervious Coverage. (Refer to Figure 5.2 (3), Maximum Impervious & Semi-Pervious Coverage). The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces.
- (10) Additional Semi-Pervious Coverage. The additional percentage of a lot beyond the Maximum Impervious Coverage may be surfaced in a semi-pervious material, including a green roof or pavers.
- (11) Parking & Loading Location. The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
- (12) Vehicular Access. The permitted means of vehicular ingress and egress to the lot.
  - (a) Lanes shall always be the primary means of access when present.
  - (b) When lanes are not present, a driveway may be permitted per Building Type and, if an alternative is available, shall not be located off a primary thoroughfare.



Figure 5.2 (2). Corner Building.

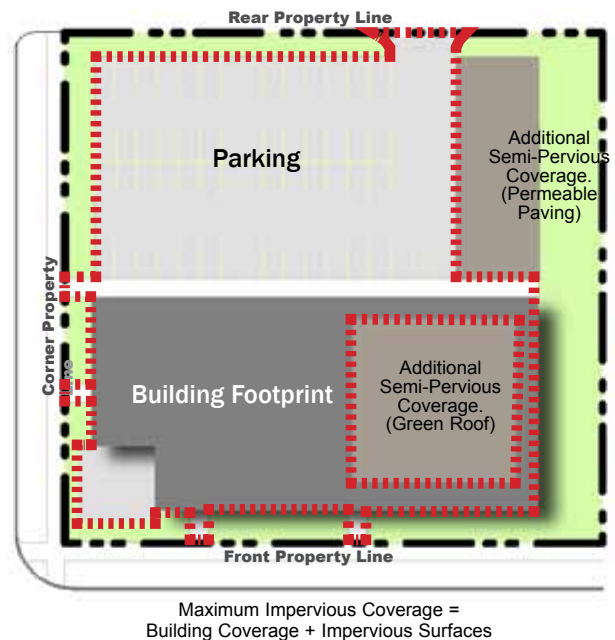


Figure 5.2 (3). Maximum Impervious & Additional Semi-Pervious Coverage.

## 2. Height.

The following explains the line item requirements for each Building Type Table within the second section entitled "Height." Refer to figure 5.2 (4).

- (1) Minimum Overall Height. The minimum overall height for the building shall be located within the setbacks; stories above the required minimum height may be stepped back from the facade.
- (2) Maximum Overall Height. The sum of a building's total maximum height.
  - (a) Half stories are located dormer style completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above ground. That portion which is visible above ground level shall be included in the overall height.
- (3) Ground Story and Upper Story, Minimum and Maximum Height.

Each frontage type includes a permitted range of height in feet for each story. Refer to Figure 5.2 (4). Additional information is as follows:

- (a) Floor height is measured in feet between the floor of a story to the floor of the story above it.
- (b) Floor height requirements apply only to street facing facades.
- (c) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

## 3. Uses.

The following explains the line item requirements for each Building Type Table within the third section entitled "Uses." Refer to Section 4.0. Uses for uses permitted within each Zoning District. The requirements in this section of the Building Type Tables may limit those uses within a specific Building Type.

- (1) Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
- (2) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
- (3) Required Occupied Space. The area(s) of a building that shall be designed as occupied space, defined as interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

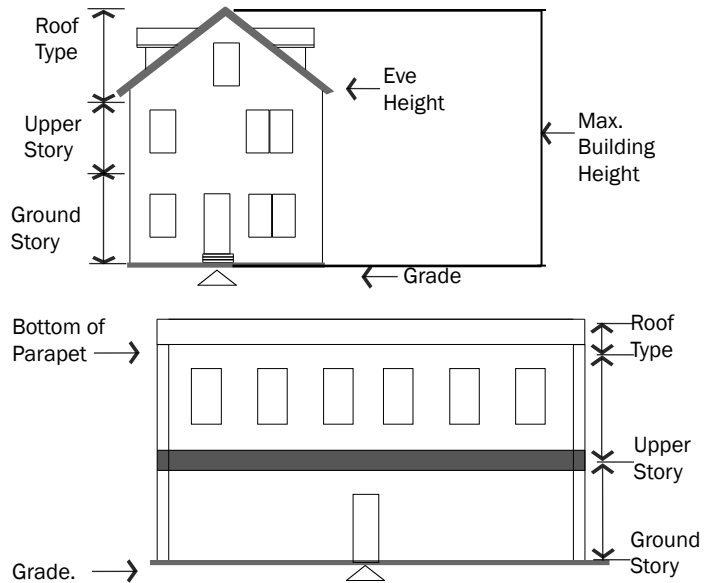


Figure 5.2 (4). Measuring Height.

## 5.0 Building Types

### 4. Street Facade Requirements.

The following explains the line item requirements for each Building Type Table 5.3 through 5.8, within the fourth section entitled "Street Facade Requirements." Street Facade Requirements apply only to facades facing a public or private right-of-way. The rear or interior facades are not required to meet these standards unless otherwise stated.

- (1) Minimum Ground Story and Upper Floor Transparency. (Refer to Figure 5.2 (5), Measuring Transparency per Facade). The minimum amount of transparency required on street facades with street frontage.
  - (a) Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
  - (b) Ground Story Transparency, when defined separately from the overall minimum transparency, shall be measured between the base of building and ten feet from the average grade at the base of the front facade.
  - (c) A general Minimum Transparency requirement shall be measured from floor to floor of each story.
- (2) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
  - (a) No rectangular area greater than 30% of a story's facade, as measured from floor to floor, may be windowless.
  - (b) No horizontal segment of a story's facade greater than 15 feet in width may be windowless.
- (3) Entrance Type. The Entrance Type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Entrance Types may be utilized. Refer to 5.10 Entrance Types for definition of and additional requirements for each Entrance Type.
- (4) Principal Entrance Location. The facade on which the primary building entrance is to be located.
- (6) Vertical Facade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, facade setbacks, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- (7) Horizontal Facade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.

### 5. Roof Type.

The following explains the line item requirements for each Building Type Table in Sections 5.3 through 5.8, within the fifth section entitled "Roof Types."

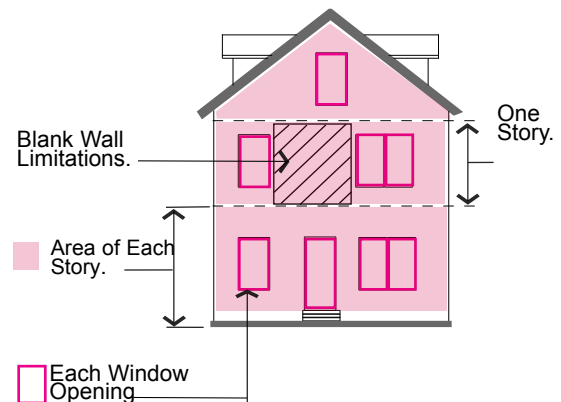
- (1) Permitted Roof Type. The roof type(s) permitted for a given

Building Type. Refer to 5.11. Roof Types for more specific requirements.

- (2) Tower. A vertical building extension that may be permitted in conjunction with another roof type on certain Building Types and located on a Main Street intersection. Refer to 5.11. Roof Types.



Measuring Ground Floor Transparency on a Storefront base.



Measuring Transparency on Each Story.

Figure 5.2 (5). Measuring Transparency.

## 5.3 Storefront Building.

### 1. Description & Intent.

The Storefront Building is intended for use as a mixed use building located close to the Transit Station, along Main Street and the Lake Promenade.

The key facade element of this Building Type is the commercial compatibility required on the ground floor front facade, with large amounts of glass and regularly spaced entrances. This building type is required at or near Main Street intersections and along the eastern portion of the Promenade

This building is available in a variety of heights, depending on the district within which it is located. For example, maximum heights are highest in the TCS district and lowest in the Lake Front Commercial. Storefront buildings are encouraged for any building that fronts Main Street or if located on the Lake Promenade streets east of Main. In this area, first floors fronting on the Lake Promenade shall be flex space (future retail type uses).



Figure 5.3 (1). Sample Illustration of the Storefront Building.

#### Notes

<sup>A</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage. Side parking requires a wall or hedge planting is provided as a buffer between parking and adjacent uses. See Landscape Section 7.3.

<sup>B</sup> For buildings with more than 4 stories, any building facade with street frontage shall have a step back of the second or third story that is a minimum of 15 feet.

<sup>C</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

<sup>D</sup> 20' triangular setback and 3 stories shall be required at intersection of Main Street and Lake Promenade Street.

<sup>E</sup> Required on Main and Promenade corners.

	Permitted Districts			
	Station	TCMU	Village Office	Lake Front Commercial
(1) Building Siting				
Multiple Principal Buildings	P	P	M	P
Occupation of Corner <sup>D</sup>	P	P	P	P
Minimum Front Setback	0'	0'	0'	0'
Maximum Front Setback	10'	10'	25', 10' on Main	15'
Minimum Side Yard Setback	0'	0'	0'	0'
Minimum Rear Yard Setback	5'	5'	5'	5'
Permitted Parking Location	Rear	Rear	Rear	Rear/Side <sup>A</sup>
Permitted Drive-up Access	Access and window location shall not be oriented to the street.			
(2) Height Refer to Figure 5.3 (2).				
Minimum Overall Height	50'	38'	38'	14'
Maximum Overall Height	No Max.	50'	74'	48'
Ground Story: Minimum Height Maximum Height	14' 20'	14' 20'	12' 20'	12' 20'
Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'	9' 14'
Transitions from back of buildings along Main Street to homes behind	Separate with an alley access.			
(3) Uses Refer to 4.0 Uses for permitted uses.				
Ground Story	Office, Retail, Commercial Flex Space <sup>E</sup>	Office, Retail, Commercial	Office, Retail, Commercial	Office, Retail, Commercial
Upper Stories	Residential, Office, Commercial	Residential, Office, Commercial	Office, Commercial	Residential, Office, Commercial
Parking within Building	Tuck Under Parking Allowed			
(4) Street Facade Requirements				
Minimum Ground Story Transparency Measured between 0' and 10' above grade	50%	50%	40%	50%
Minimum Upper Story Transparency	25%	25%	25%	25%
Blank Wall Limitations	Required, see 5.2.4 (2)			
Front Facade Entrance Type	Storefront, arcade			
Required Number of Street Entrances	One per every 100' of Frontages	One per every 100' of Frontages	One per every 150' of Frontages	One per every 100' of Frontages
Facade Depth Variation	Minimum of every 50'			
(5) Roof Type Requirements				
Permitted Roof Types	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed
Tower	Required Main and Promenade	P	P	P

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street

Flex spaces are to be designed to accommodate commercial/retail but tenant improvement and use may be residential.

# 5.0 Building Types

## 5.4 Single Purpose.

### 1. Description & Intent.

The Single Purpose Building Type permits a wide range of building facades and allows for more flexibility in building height. It can accommodate mixed uses or can be used strictly for residential or office use. This Building Type is still intended to be built close to the front and corner property lines. Parking may be provided in the rear of the lot, internally in the building, or to the side for one double loaded aisle of parking. The minimum and maximum heights of this building type depend on the district within which it is located. For areas along the Promenade and east of Main Street, first floors fronting on the Lake Promenade shall be flex space (future retail type uses).

### 2. Regulations.



Figure 5.4 (1). Sample Illustration of the Single Purpose Building Building.

#### Notes

<sup>A</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line and to the side of the building. Side parking is allowed only if a wall or hedge planting is provided as a buffer between parking and adjacent uses. See Landscape Section 7.3.

<sup>B</sup> Multiple Principal Buildings shall not be allowed on Main Street Corners in Station and TCMU areas.

<sup>C</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

<sup>D</sup> For office buildings in the TCMU district, the maximum height may be increased to 6 stories or 74'

<sup>E</sup> First floors fronting on the Lake Promenade east of Main shall be flex space (future retail type uses).

		Permitted Districts				
		Station	TCMU	Village Office	Lake Front Commercial	Lake Front Residential
(1) Building Siting						
Multiple Principal Buildings		P <sup>B</sup>	P <sup>B</sup>	P	P	P
Occupation of Corner		P	P	P	P	P
Minimum Front Setback		0'	0'	0'	0'	0'
Maximum Front Setback		10'	10'	25'	15'	15'
Minimum Side Yard Setback		0'	0'	0'	0'	0'
Minimum Rear Yard Setback		5'	20'	20'	20'	20'
Permitted Parking Location		Rear	Rear/Side <sup>A</sup>	Rear	Rear/Side	Rear/Side
(2) Height Refer to Figure 5.3 (2).						
Minimum Overall Height		48'	26'	26'	14'	14'
Maximum Overall Height		No Max.	48 <sup>D</sup>	74'	48'	48'
Ground Story: Minimum Height Maximum Height		14' 20'	14' 20'	14' 20'	14' 20'	14' 20'
Upper Stories: Minimum Height Maximum Height		9' 14'	9' 14'	9' 14'	9' 14'	9' 14'
(3) Uses Refer to 4.0 Uses for permitted uses.						
Ground Story		Office, Retail, Commercial, Residential E	Office, Retail, Commercial, Residential	Office, Retail, Commercial, Residential	Office, Retail, Commercial, Residential	Residential
Upper Stories		Office , Commercial, Residential	Office, Commercial, Residential	Office, Commercial, Residential	Office, Commercial, Residential	Residential
Parking within Building		Tuck Under Parking Allowed				
(4) Street Facade Requirements						
Minimum Ground Story Transparency Measured between 2' and 8' above grade		50%	50%	40%	50%	30%
Minimum Upper Story Transparency		25%	25%	25%	25%	30%
Blank Wall Limitations		Required, see 5.2.4 (2)				
Front Facade Entrance Type		Storefront, Stoop, Porch				Porch
Other Facade Requirements		Residential uses shall include one or more of the following on a minimum of 50 % of all units: bay windows, box out windows, balconies, and patios				
Required Balconies		Balconies required if Residential.				
Principal Entrance Location		Street. If on Main Street, then principal entrance to be located on Main Street.				
Required Number of Street Entrances		One per every 100' of Frontages				
Facade Depth Variation		Minimum of every 50'				
Variation in Materials		Material type shall vary between first floor and above floors.				
(5) Roof Type Requirements						
Permitted Roof Types		Parapet, Flat, Pitched, Shed				
Tower		P	P	P	P	

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street



## 5.5 Commercial.

### 1. Description & Intent.

This building type is only allowed at intersections along Main Street and the Connector. It is intended to accommodate the need for goods and services that are associated with and generally accessed by a vehicle.

### 2. Regulations.

Regulations for the Commercial Building Type are defined in the adjacent table.

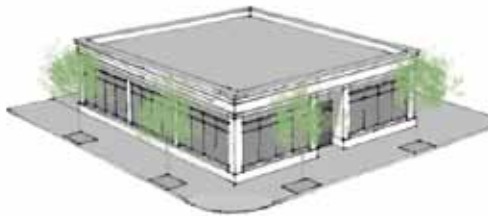


Figure 5.5 (1). Sample Illustration of the Commercial Building.

Notes

<sup>A</sup> Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage. Side parking is allowed only if a wall or hedge planting is provided as a buffer between parking and adjacent uses. See Landscape Section 7.3.

<sup>B</sup> If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

	Permitted Districts			
	Station	TCMU	Village Office	Lake Front Commercial
(1) Building Siting				
Multiple Principal Buildings	p	p	P	P
Corner Setbacks	None <sup>A</sup>	None <sup>A</sup>	None	None
Minimum Front Setback	10'	10'	10'	10'
Maximum Front Setback	10'	10'	25'	15'
Minimum Side Yard Setback	0'	0'	0'	0'
Minimum Rear Yard Setback	5'	20'	20'	20'
Permitted Parking Location	Rear	Rear	Rear	Rear/Side <sup>B</sup>
(2) Height Refer to Figure 5.3 (2).				
Minimum Overall Height	18'	18'	18'	14'
Maximum Overall Height	No Max.	50'	62'	48'
Ground Story: Minimum Height Maximum Height	18' 20'	18' 20'	128 20'	14' 20'
Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'	9' 14'
(3) Uses Refer to 4.0 Uses for permitted uses.				
Ground Story	Commercial, retail	Office, Retail, Commercial	Office, Retail, Commercial	Office, Retail, Commercial
Upper Stories	Office , Commercial	Office, Commercial	Office, Commercial	Office, Commercial
Parking within Building	Tuck Under Parking Allowed			
(4) Street Facade Requirements				
Minimum Ground Story Transparency Measured between 2' and 8' above grade	50%	50%	4 0%	50%
Minimum Upper Story Transparency	25%	25%	25%	25%
Blank Wall Limitations	No horizontal segment of a story's facade greater than 30 feet in width may be windowless.			
Front Facade Entrance Type	Storefront, arcade			
Principal Entrance Location	Street. If on Main Street, then principal entrance to be located on Main Street.			
Required Number of Street Entrances	One per every 100' of Frontages	One per every 100' of Frontages	One per every 150' of Frontages	One per every 100' of Frontages
Facade Depth Variation	Minimum of every 50'			
Drive/Drive thru	Access and window location shall not be oriented to the street.			
(5) Roof Type Requirements				
Permitted Roof Types	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed
Tower	Flat, Pitched	Encouraged on the Promenade corners along Main Street.		

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street

## 5.0 Building Types

### 5.6 Townhome.

#### 1. Description & Intent.

The Townhome is a building typically comprised of multiple vertical units, each with its own entrance to the street or alley. This Building Type may be organized as townhouses or row houses, and could also incorporate live/work units.

Garages must be set back from the front facade of the home 2 feet or accessed from the rear of the building. When the garage is located within the building, a minimum level of occupied (living unit) space is required on the front facade to ensure that the street facade is active.

#### 2. Regulations.

Regulations for the Townhome Building type are defined in the adjacent table.



Figure 5.6 (1). Sample Illustration of the Townhome Building.

#### Notes:

The townhome consists of a series of two or more units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.

Each building shall meet the front property line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

<sup>A</sup> Minimum side yard setback for end units is a minimum of 5'

#### Lake Front Residential

(1) Building Siting	
Multiple Principal Buildings	P
Occupation of Corner	P
Front Setback	5-20'
Minimum Side Yard Setback	0' <sup>A</sup>
Minimum Rear Yard Setback	20'
Minimum Rear Yard Setback on Alleys	5'
Parking & Loading Location	Rear/ Side
(2) Height Refer to Figure 5.3 (2).	
Minimum Overall Height	23'
Maximum Overall Height	48'
Ground Story: Minimum Height	9'
Maximum Height	14'
Upper Stories: Minimum Height	9'
Maximum Height	14'
(3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.	
Ground Story	Residential
Upper Stories	Residential
Required Residential Space	NA
Parking within Building	P
(4) Street Facade Requirements	
Minimum Ground Story Transparency Measured between 2' and 8' above grade	25%
Minimum Upper Story Transparency	25%
Blank Wall Limitations	Required, see 5.2.4 (2)
Front Facade Entrance Type	Stoop, Porch
Principal Entrance Location	Street
Required Number of Street/Alley Entrances	1 per
Facade Depth Variation	Minimum of every 50'
(5) Roof Type Requirements	
Permitted Roof Types	Pitched, Flat, Parapet
Tower	NA

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street

## 5.7 Mansion Style.

### 1. Description & Intent.

The Mansion Style Building is primarily residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear and side yards (not front) with preferred access from an alley or side yard drive.

The Mansion Style Building can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

### 2. Regulations.

Regulations for the Mansion Style are defined in the



Figure 5.7 (1). Sample Illustration of the Townhome Building.

#### Notes

A When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

B Rear yard setback for detached garages on alleys is five feet.

#### Lake Front Residential

### (1) Building Siting

Multiple Principal Buildings <sup>A</sup>	P
Occupation of Corner	P
Front Setback	5-15'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Off-street Parking & Loading Location <sup>B</sup>	Rear Only

### (2) Height Refer to Figure 5.3 (2).

Minimum Overall Height	18'
Maximum Overall Height	48'
Ground Story: Minimum Height Maximum Height	9' 14'
Upper Stories: Minimum Height Maximum Height	9' 14'

### (3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.

Ground Story	Residential
Upper Story	Residential
Parking within Building	P

### (4) Street Facade Requirements

Minimum Ground Story Transparency Measured between 2' and 8' above grade	25%
Minimum Upper Story Transparency	25%
Blank Wall Limitations	Required, see 5.2.4 (2)
Front Facade Entrance Type	Stoop or Porch
Principal Entrance Location	Street
Required Number of Street Entrances	1
Facade Depth Variation	NA

### (5) Roof Type Requirements

Permitted Roof Types	Parapet, Flat, Pitched, Shed
Tower	NP

#### KEY

P: Permitted - NP: Not Permitted



## 5.0 Building Types

### 5.8 Institutional Building.

#### 1. Description & Intent.

The Institutional Building is intended only for institutional use types. These buildings are distinctive within the urban fabric created by the other Building Types and could be designed as iconic structures. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

#### 2. Regulations.

Regulations for the Institutional Building type are defined in the adjacent table.



Figure 5.8 (1). Sample Illustration of the Institutional Building.

	Permitted Districts			
	Station	TCMU	Village Office	Lake Front Commercial
(1) Building Siting				
Multiple Principal Buildings	P	P	P	P
Occupation of Corner	P	P	P	P
Minimum Front Setback	0'	0'	0'	0'
Maximum Front Setback	15'	15'	30'	30'
Minimum Side Yard Setback	0'	0'	0'	0'
Minimum Rear Yard Setback	20'	20'	20'	20'
Permitted Parking Location	Rear	Rear	Rear/Side	Rear/Side
(2) Height Refer to Figure 5.3 (2).				
Minimum Overall Height	48'	26'	26'	26'
Maximum Overall Height	No Max.	48'	74'	48'
Ground Story: Minimum Height Maximum Height	14' 20'	14' 20'	12' 20'	12' 20'
Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'	9' 14'
(3) Uses Refer to 4.0 Uses for permitted uses.				
Ground Story	Office, Retail, Commercial, Civic	Office, Retail, Commercial, Civic	Office, Retail, Commercial, Civic	Office, Retail, Commercial, Civic
Upper Stories	Office , Civic	Office, Civic	Office, Civic	Office, Civic
Parking within Building	Tuck Under Parking Allowed			
(4) Street Facade Requirements				
Minimum Ground Story Transparency Measured between 2' and 8' above grade	50%	50%	40%	50%
Minimum Upper Story Transparency	25%	25%	25%	25%
Blank Wall Limitations	Required, see 5.2.4 (2)			
Front Facade Entrance Type	Storefront, stoop			
Principal Entrance Location	Main Street or principal adjacent street.			
Required Number of Street Entrances	One per Frontage	One per every 100' of Frontages	One per every 150' of Frontages	One per every 100' of Frontages
Facade Depth Variation	Minimum of every 100'			
(5) Roof Type Requirements				
Permitted Roof Types	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed	Parapet, Flat, Pitched, Shed
Tower	Flat, Pitched			

#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street

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## 5.9 Small Lot Single Family Dwellings

### 1. Description & Intent.

The Small Lot Single Family Dwelling is a residential building comprised of one to two stories with an entrance to the street. Garage options include front, side, and rear loaded attached and rear loaded detached..

When the garage is located within the building, a minimum level of occupied (living unit) space is required on the front facade to ensure that the street facade is active.

### 2. Regulations.

Regulations for the Small Lot Single Family type are defined in the adjacent table.



Figure 5.9 (1). Sample Illustration of the Small Lot Single Family Building.

Notes:

- A. Where detached garages are utilized, they shall be placed behind the house.
- B. In the Lake Front Residential District where there is at least 200' between the extension of 300 West and the Lake Front, the anticipated layout is units facing the extension of 300 West and units facing the Lake with an alley in the middle providing access to garages and access for emergency vehicles.
- C. Pedestrian access to the Lake Front shall be provided every ¼ mile.
- D. To prevent direct viewing from one building to another, window placement on the side façades of adjacent buildings shall be offset so that the windows do not align.
- E. Front porches required on 50% of the buildings.

### Lake Front Residential

#### (1) Building Siting

Multiple Principal Buildings	NP
Occupation of Corner	P
Front Setback	5-15'
Corner Setback	10-15'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Lot Width	40'
Minimum Lot Size	4500 sf
Parking & Loading Location	Rear (alley) or front

#### (2) Height Refer to Figure 5.3 (2).

Minimum Overall Height	18'
Maximum Overall Height	38'
Ground Story: Minimum Height	9'
Maximum Height	14'
Upper Stories: Minimum Height	9'
Maximum Height	14'

#### (3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.

Ground Story	Residential
Upper Stories	Residential
Parking within Building	P

#### (4) Street Facade Requirements

Minimum Ground Story Transparency <small>Measured between 2' and 8' above grade</small>	25%
Minimum Upper Story Transparency	25%
Blank Wall Limitations	Required, see 5.2.4 (2)
Front Facade Entrance Type	Stoop, Porch
Principal Entrance Location	Street
Required Number of Street/Alley Entrances	1
Facade Depth Variation	20'

#### (5) Roof Type Requirements

Permitted Roof Types	Parapet, Flat, Pitched, Shed
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#### KEY

P: Permitted - NP: Not Permitted - C = Conditional - M = Only on Main Street

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## 5.0 Building Types

### 5.10 Parking Structure.

#### 1. Description & Intent.

Parking Structures are encouraged within the Vineyard Town Center especially in the TCMU, TCS, and Office sub-districts. If proposed adjacent to Main Street the first floors shall be designed to accommodate active non-parking uses within the first story of the structure.

The minimum and maximum heights of this Building Type depend on the district within which it is located.

#### 2. Regulations.

Regulations for the Parking Structure type are defined in the adjacent table.



Figure 5.10 (1). Parking Structure Examples

	Permitted Districts				
	Station	Town Center Mixed-use	Village Office	Lake Front Commercial	Lake Front Residential
<b>(1) Building Siting</b>					
Multiple Principal Buildings	NP	NP	NP	NP	NP
Occupation of Corner	NP	NP	NP	NP	NP
Front Setback on Public ROW	0'	0'	0'	0'	0'
Minimum Side Yard Setback	20'	20'	20'	20'	20'
Minimum Rear Yard Setback	10'	20'	20'	20'	20'
Parking & Loading Location	Not Applicable				
Vehicular Access	Public ROW Street or Private Drive				
<b>(2) Height</b> Refer to Figure 5.3 (2).					
Minimum Overall Height	2 story minimum				
Ground Story: Minimum Height Maximum Height	Not specified				
Upper Stories: Minimum Height Maximum Height	Less than or equal to height of principal building or adjacent buildings				
<b>(3) Uses</b> Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.					
Ground Story	Office, Neighborhood Retail, Neighborhood Service required within 30' of Main Street and the Promenade. Parking allowed on interior if wrapped by permitted use on street facade.				
Upper Stories	Parking, Office, Residential				Parking, Residential
Parking within Building	Permitted				Permitted
<b>(4) Street Facade Requirements</b>					
Minimum Ground Story Transparency Measured between 2' and 8' above grade	50%	50%	50%	50%	50%
Minimum Upper Story Transparency/Opening	25%	25%	25%	50%	50%
Blank Wall Limitations	Only applicable to 1st story. See 5.2.4(2)				
Front Facade Entrance Type	Storefront, arcade when alternative uses exist on the ground floor				
Principal Entrance Location	Public Street ROW or Private Drive				
Required Number of Street Entrances	When alternative uses exist on the ground floor, one per 150 feet				
Facade Depth Variation	When alternative uses exist on the ground floor, minimum of every 100' Not required on upper stories				
<b>(5) Roof Type Requirements</b>					
Permitted Roof Types	Flat				
Tower	Flat, pitched				

#### KEY

P: Permitted - NP: Not Permitted

## 5.11 Entrance Types.

Entrance type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 5.3 through 5.8.

### 1. General.

The following provisions apply to all entrance types.

- (1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard (refer to Building Types 5.4 through 5.10).
- (2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted entrance types, unless otherwise stated.
- (3) Primary Entrance. All primary entrances to all buildings are required to have a 5' min. protective entrance for the purpose of protecting the user from precipitation and snow roof slides and may encroach on the front setback. Protective entrances may include gables, awnings, over hanging structures, etc.
- (3) Measuring Transparency. Refer to 5.2 Explanation of Building Type Table Standards, for information on measuring building transparency.
- (4) Visible Basements. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

### 2. Storefront Entrance Type.

The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses. Refer to Figure 5.11 (1).

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Elevation. Storefront elevation shall be between zero and one foot above sidewalk.
- (3) Visible Basement. A visible basement is not permitted.
- (4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (5) Entrance. All entries shall be recessed from the front facade closest to the street.
  - (a) Recess shall be a minimum of three feet and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.
  - (b) When the recess falls behind the front setback, the recess shall be no wider than eight feet.

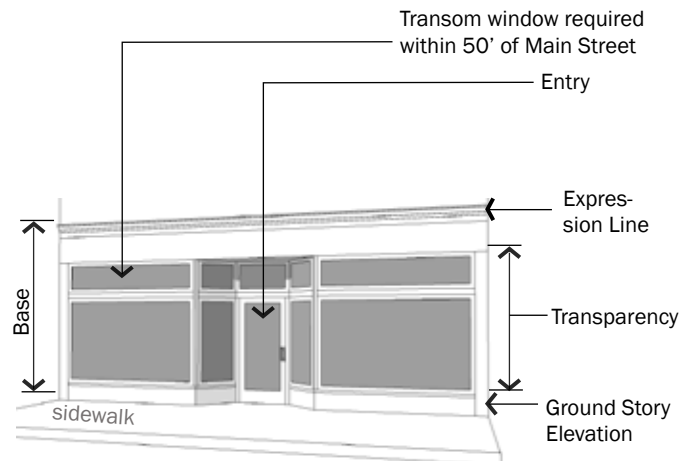


Figure 5.11 (1). Storefront Entrance Type

## 5.0 Building Types

### 4. Stoop Entrance Type.

A stoop is an unroofed, open platform. Refer to Figure 5.11 (2).

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Stoop Size. Stoops shall be a minimum of three feet deep and six feet wide.
- (3) Elevation. Stoop elevation shall be located a maximum of 2'-6" above the sidewalk without visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
- (5) Entrance. All entries shall be located off a stoop.

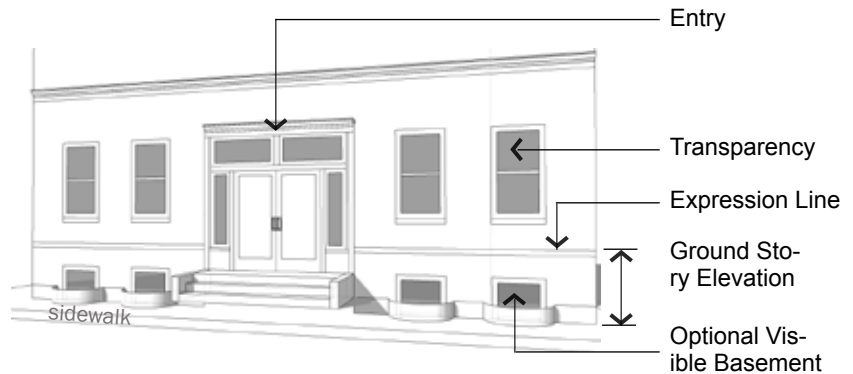


Figure 5.11 (2). Stoop Entrance Type

### 5. Porch Entrance Type.

A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled. Refer to Figure 5.11 (3).

- (1) Transparency.
  - (a) Minimum transparency per Building Type is required.
  - (b) If enclosed, a minimum of 40% of the enclosed porch shall be comprised of highly transparent, low reflectance windows.
- (2) Porch Size. The porch shall be a minimum of five feet deep and eight feet wide.
- (3) Elevation. Porch elevation shall be located a maximum of 2'-6" above the sidewalk without a visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted.
- (5) Height. Porch may be two stories to provide a balcony on the second floor.
- (6) Entrance. All entries shall be located off a porch.

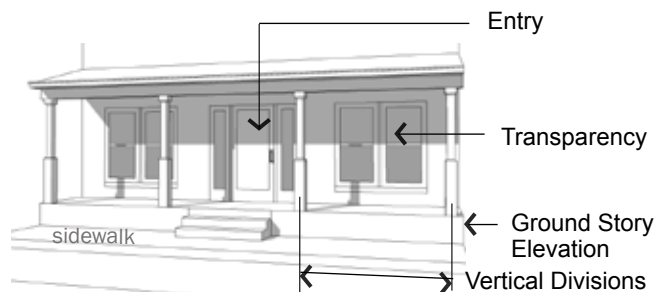


Figure 5.11 (3). Porch Entrance Type

### 5.12 Roof Types.

Roof type standards apply to the roof and cap of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 5.4 through 5.10

#### 1. General Provisions.

The following provisions apply to all roof types.

- (1) Intent. To guide the design of the caps of all buildings.
- (2) Applicability. All buildings shall meet the requirements of one of the roof types permitted for the Building Type.
- (3) Measuring Height. Refer to Section 5.2.2 for information on

measuring building height.

- (4) Other Roof Types. Other building caps not listed as a specific type may be made by a request to the Town Planner with the following requirements:
  - (a) The roof type shall not create additional occupied space beyond that permitted by the Building Type, except for private open space.
  - (b) The shape of the Roof Type shall be significantly different from those defined in this section 5.12 Roof Types, i.e. a dome, spire, vault.
- (5) Solar panels are permitted for all roof types.

## 2. Parapet Roof Type.

A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street. Refer to Figure 5.12 (1).

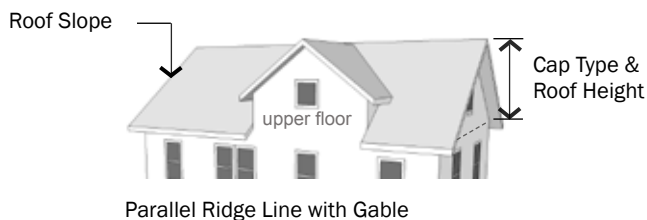
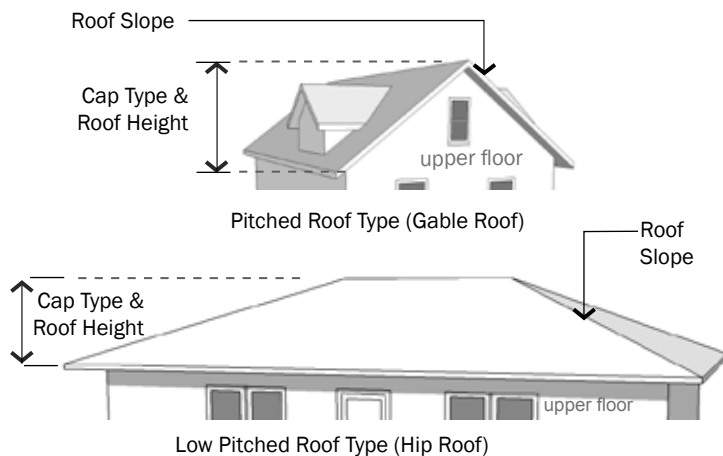
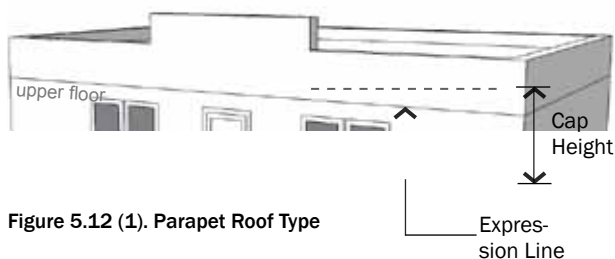
- (1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
  - (a) Minimum height is two feet with a maximum height of six feet.
  - (b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
- (2) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (3) Occupied Space. Occupied space shall not be incorporated behind this roof type.

## 3. Pitched Roof Type.

This roof type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run. Refer to Figure 5.12(2).

- (1) Pitch Measure. The roof may not be sloped less than a 4:12 (rise/run) or more than 8:12.
  - (a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. Refer to Figure 5.12 (2).
- (2) Configurations.
  - (a) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
  - (b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
  - (c) Gambrel and mansard roofs are not permitted.
- (3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. Refer to Figure 5.12 (3).
- (4) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.

- (5) Occupied Space. Occupied space may be incorporated behind this roof type.





## 5.0 Building Types

### 4. Flat Roof Type.

This roof type has a flat roof with overhanging eaves. Refer to Figure 5.12 (4).

- (1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
- (2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.
- (3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches thick.
- (4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
  - (a) No more than one-half of the front facade can consist of an interrupting vertical wall.
  - (b) Vertical walls shall extend no more than four feet above the top of the eave.
- (5) Occupied Space. Occupied space shall not be incorporated behind this roof type.



Figure 5.12 (4). Flat Roof Type

### 5. Towers.

A tower is a rectilinear or cylindrical, vertical element, that must be used with other roof types; towers are only allowed on Main Street or the entry to Lake Front Commercial intersections. Refer to Figure 5.12 (5).

- (1) Quantity. All Building Types, with the exception of the Institutional Building, are limited to one tower per building.
- (2) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- (3) Tower Width. Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.
- (4) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Building Types.
- (5) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (6) Application. May be combined with all other roof types.
- (7) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof types, or the spire may cap the tower.

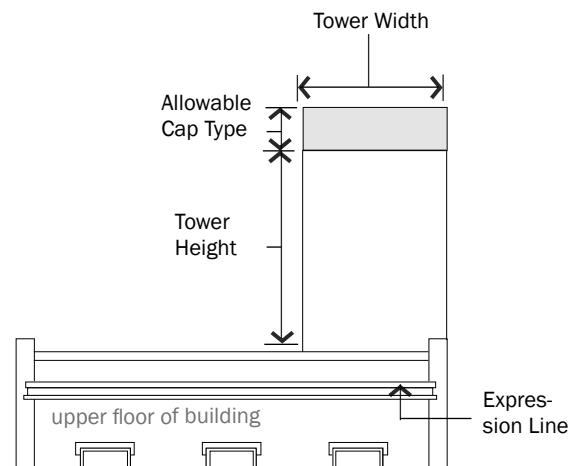


Figure 5.12 (5). Tower

## 5.12 Additional Design and Mix Standards.

The following outlines the Vineyard Town Center design standards that affect a building's appearance and place cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

### 1. Materials and Color.

- (1) Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
  - (a) Permitted primary building materials include high quality, durable, natural materials, such as stone, brick, fiber cement board, shingles, architectural concrete, or panel siding and glass. On Mansion style and Townhome style buildings, up to 60% of an exterior façade may be stucco. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.13 (1).
- (2) Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.
  - (a) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades, up to 40% of total.
  - (b) Up to 60% stucco permitted on building facades. The Town Planner may approve a higher percentage.
  - (c) The Town Planner may accept materials not covered in this Chapter and modify the exterior materials and colors requirements, if architectural improvement is clearly demonstrated.
- (3) Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. "Engineered" wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.13 (2).



Primary Materials: Brick



Primary Materials: Stone



Architectural Metal

Figure 5.13 (1). Primary Materials.



Roof Materials: Asphalt Composite Shingles



Roof Materials: Ceramic Tile

Figure 5.13 (2). Roof Materials.



## 5.0 Building Types

- (4) Color. Main building colors shall be complementary to the themes of the Village Town Center.
- (5) Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all Building Types with the exception of the Mansion, Townhouse, and the Small lot single family buildings.
- (6) Not allowed materials list: vinyl or aluminum siding, highly reflective metal, mirrored windows, plain cement block.

### 2. Windows, Awnings, and Shutters.

- (1) Windows. All upper story windows on all, residential, and mixed use buildings shall be recessed and double hung. Transparency requirements vary by Building Type.
- (2) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Refer to Figure 5.13 (4).
- (3) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood or metal. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted: Commercial Grade Doors & Windows on Commercial Buildings

Figure 5.13 (3). Commercial Grade Doors & Windows.



Prohibited Awnings: Plastic



Permitted Awnings: Metal



Permitted Awnings: Canvas

Figure 5.13 (4). Awnings.

### 3. Livable Balconies, Patios, and Porches.

The following applies in all locations where balconies, patios, and/or porches are incorporated into the facade design facing any street or parking lot. Refer to Figure 5.13 (5).

- (1) Size. Balconies, Patios, and Porches, shall be a minimum of 50 square feet, with a minimum depth of 5 feet.
- (2) Connection to Building. Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- (3) Percentage. At least 60% of multi-family residential units shall have a balcony, patio, or porch. This requirement may be reduced to 40% if a usable rooftop open space is constructed
- (4) Railings. May vary and may promote privacy within the balcony; railings do not have to be open.
- (5) Projection of Balconies. Balconies may be cantilevered for up to 2 feet; projection of up to 6 feet into the setback is permitted, but not over the public ROW.
- (6) Porches. 50% of the small lot single family dwellings shall have front porches.

### 4. Main Street & Lake Promenade Street Corners

When a building is located on a Main Street or Lake Promenade Street intersection:

- (1) Corner plaza. The setback requirements of this chapter will create a triangular corner plaza defined as a clear area emanating 20' from the intersection of the corner property lines. Main Street and Lake Promenade Street corner plazas shall meet the



Figure 5.13 (5). Balconies Integral to Facade.

requirements outlined in 6.3 Plazas and shall include:

- Surfacing—concrete brick pavers or similar as approved by the Town Planner.
- Public benches and seating areas
- Lighting
- Trees and landscaping
- Art sculptures, fountains, and similar installations
- Open views to corridor

### 5. First Story Differentiation and Building Variety

For Storefront and Single Purpose Buildings fronting on Main or the Promenade, architectural features, or material changes are required to differentiate the first floor from other floors. Where building step backs are used, such variations may be extended to the step back.

Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following. Refer to Figure 5.13 (6) for an illustration of this requirement.

- (1) The proportion of recesses and projections.
- (2) The location of the entrance and window placement, unless storefronts are utilized.
- (3) Roof type, plane, or material, unless otherwise stated in the Building Type requirements.
- (4) Changes to bay or box windows where none exist or substantial changes to those features

### 6. Drive-through

Drive-through Structures are not permitted (except Hotels) facing Main Street and Lake Promenade Street.

### 7. Pedestrian Circulation.

Walkability principles shall be adhered to on-site and shall include pathways to the Lake Promenade Street through the proposed development at a minimum of 300' intervals. These pathways shall be an intuitive route and include pedestrian cues such as distinct paving, lighting, signage, and landscaping. Pedestrian circulation shall be included in designs to the greatest degree possible.



Figure 5.13 (6). Building Variety.

## 5.0 Building Types

### 8. Meters and Equipment Placement.

Equipment shall be screened from view and not located on a public street.

### 9. Waste Containers.

Waste Containers shall be located out of public view, a minimum of 10' from any property line and screened with landscaping and/or a structure that is compatible with the theme of the adjacent building.

### 10. Building Mixes in the TCMU and TCS Districts

The following requirements will expire in the TCA and TCMU when the total square footage of non-residential use exceeds 500,000 square feet.

5.10.1 Building Mixes in the TCS District. Residential development will be permitted to the degree that the total proposed and existing residential gross square footage is equal to or less than 80% of the total amount of anticipated building square footage of the TCS District over the 15 year period after the effective date of this Code.

5.10.1 Building Mixes in the TCMU District. Residential development will be permitted to the degree that the total proposed and existing residential gross square footage is equal to or less than 75% of the total amount of anticipated building square footage of the TCMU District over the 15 year period after the effective date of this Code.

5.10.1 Building Mixes in the Lake Front Commercial District. Residential development will be permitted to the degree that the total proposed and existing residential gross square footage is equal to or less than 30% of the total amount of anticipated building square footage of the Lake Front Commercial District over the 15 year period after the effective date of this Code.

### 11. Amenity Requirements for Multi-family Projects

- (1) Residential developments shall include at least 50 units, except in the Lakefront Districts. All multi-family dwellings or complexes of more than 100 units shall include an on-site manager's unit

and shall include the following schedule of amenities.

- (a) An interior common social gathering area of at least four hundred (400) square feet for each fifty units, or portion thereof, within the building or development.
- (b) For multifamily residential buildings up to 149 units, include items described in the table below for each fifty units, or portion thereof, within the building or development in the following ratios:
  - 4 items from the Unit Features Section,
  - 3 items from the General Amenities Section,
  - 2 items from the Recreation Amenities Section, and
  - 1 item from the Energy Efficiency Enhancements Section
 Developers may propose alternative amenities in any category as part of a site plan review, subject to final approval by the Town Planner.
- (c) For multifamily residential building developments in excess of 150 units, buildings shall include
  - 6 items from the Unit Features Section,
  - 5 items from the General Amenities Section,
  - 4 items from the Recreation Amenities Section, and
  - 3 items from the Energy Efficiency Enhancements Section
 Developers may propose an equivalent number of alternative amenities in any category as part of a site plan review, subject to final approval by the Town Planner.
- (d) Refer to table 5.12 (1).

**Table 5.12 (1) Amenity Requirements for Multifamily Residential Buildings**

Triple pane windows on Main Street and the Lake Promenade Streets	Covered parking	Pool minimum 400 square feet	Compliance with ENERGY STAR New Homes Standard for buildings three stories or fewer
Washer/dryer hook ups	Garages	Project wide Indoor and outdoor WIFI	Compliance with ENERGY STAR Multifamily High Rise Program for buildings four stories or greater
Larger balconies or porches or patios – over 60 sq.ft.	Secured interior bike storage	Playground structure	Installation of photovoltaic panels, wind turbines, or other electric generating renewable energy source to provide at least 20 percent of the project's estimated electrictown demand
Dishwasher	Library	Hot tub minimum 120 square feet	Design and install required connections for the installation of PV or solar hot water system in future
Enhanced soundproofing between units (ceilings, floors, and walls)	Meeting room(s)	Community garden	Electric Vehicle Charging Station
Solid core doors throughout	Interior social space of 500 square feet or larger	Sport court	Participation in a recycling program as part of a rental agreement or HOA
8.5 and higher ceilings	Roof top terrace (can be combined with above)	Exercise room	Installation of tankless hot water systems
Composite or granite counter tops	Public transit incentives	Exterior social spaces of 500 square feet or larger including shade, barbeques, and seating	
Hardwood floors on 50% or more of the floors	Theater Room		
Secured interior storage (50 sq. ft.)			



## 6.0 Open Space Types

### 6.1 General Requirements.

#### 1. Intent.

Open space is an essential amenity in a walkable, urban setting. Within this district, the primary open space is the Lake Promenade and a pocket park in the Village Office District. Landscaping, lighting, and public access are essential to enhance and beautify the corridor. Adjacent properties should be designed to expand on the Promenade features and create a larger open space.

Courtyards, plazas and private open spaces that open up into the Promenade are encouraged. The open space requirement of this section may be reduced if it meets requirements of this chapter. The open space requirement may be eliminated for adjacent projects, if the property owner negotiates significant dedication of park spaces such as the Promenade.

#### 2. General Requirements.

For all uses, 20% of the total project area is required as on-site open space. This requirement may be reduced to 10%, see sections 5 and 6 for reductions. All open spaces shall meet the following requirements.

- (1) All open space provided within any district development shall comply with one of the Open Space Types defined by 6.2 through 6.5.
- (2) Fencing. Open Space Types may incorporate fencing provided that the following requirements are met.
  - (a) Height. Side and rear fencing shall be a maximum height of 60 inches, unless approved by the Town Planner for such circumstances as proximity to railroad right-of-way and use around swimming pools, ball fields, and ball courts and etc.
  - (b) Level of Opacity. Fence opacity shall be no greater than 30%.
  - (c) Type. Chain-link fencing is not permitted along any street with the exception of dedicated sports field or court fencing approved by the Town Planner.
  - (d) Spacing of Openings. Openings or gates shall be provided on every street face at a minimum of every 150 feet.
- (3) Ownership. Open Space Types may either be publicly or privately owned.
- (4) Continuity. Connections to existing or planned trails or open space types shall be made when the Open Space abuts such as the Lake Front Trail, Promenade, etc.

#### 3. Definition of Requirements.

The following further explains or defines the requirements included in Tables 6.2 (1) through 6.8 (1) for each Open Space Type. Refer to each table for the specific requirements of each Open Space Type.

- (1) Size.
  - (a) Size. The minimum size of the Open Space Type is measured within the parcel lines of the property.
  - (b) Size. The maximum size of the Open Space Type is

measured within the parcel lines of the property.

- (c) Dimension. The minimum length or width of the Open Space Type, as measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure 6.1 (1).
- (d) Maximum Impervious and Semi-Pervious Surface Permitted. The amounts of impervious and semi-pervious coverage are provided separately to allow an additional amount of semi-pervious surface, such as permeable paving, above the impervious surfaces permitted, including, but not limited to, parking facilities, driveways, sidewalks, paths, and structures as permitted.

#### 4. Stormwater in Open Space Types.

Stormwater management practices, such as storage and retention facilities, may be integrated into Open Space Types and utilized to meet stormwater requirements for surrounding parcels.

#### 5. Design Based Open Space Reductions.

Bonuses in the form of open space reductions may be awarded, up to 30 percent of the required project open space:

- (1) An open space bonus shall be given based on the square footage of the triangular setback area on all Main Street intersections
  - (a) This amount may be increased if additional quality features such as, but not limited to, street furniture, art, and landscaping are used.
  - (b) If a larger Main Street triangular setback area is provided.
  - (c) The total area of the improved open space for the triangular setback area on Main Street intersections shall be doubled and credited toward the total open space requirement, up to 10% of the total required open space.
- (2) The Town Planner may grant a reduction of the open space requirement of up to 5% of the total on-site open space required for improvements that meet the Town Park Improvement Standards which includes elements such as:
  - (a) Lighting
  - (b) Public art
  - (c) Seating and furnishings
  - (d) Creative bicycle racks
  - (e) Transit Shelter enhancements
  - (f) Pavilions, trails, and landscaping
- (3) Open space shall be reduced for a parking structure with open space. The total area of roof open space associated with parking structures shall be credited toward the total open space requirement, up to 20% of the total required.

#### 6. In Lieu Substitutions for Open Space Requirements.

##### 1. Intent.

The Town finds that in certain circumstances, land in other locations

## 6.0 Open Space Types

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may be substituted for on site open space requirements where it is advantageous to create important and critical open space areas such as the Promenade within the Vineyard Town Center.

### 2. Applicability.

"In lieu substitution" or "in lieu of open space substitutions" are encouraged for the benefit of the Town Center by application to the Town Planner under the following circumstances:

- (1) In lieu substitutions of land intended to fulfill the requirements for open space may be allowed when it is factually established, by a qualified land appraiser, that the substituted land is at least equal to or greater than the value of land compared with the development property as if developed fully as proposed. The Town may determine to approve the land area to be appraised both from the original site and the proposed substituted site prior to the appraisal. The appraiser will be selected by and contract with the Town. The fees for the appraisals will be reimbursed to the Town at cost by the developer. New appraisals may not be required if recent information or appraisals are readily available.
- (2) Any land which has been dedicated, set-aside, platted, or otherwise approved as open space may not be substituted or used for any purpose other than those allowed in this Chapter.

### 3. Types of Open Space Substitutions Available:

The following options are available to developers to propose to the Town for in lieu substitutions for open space requirements:

- (1) Cash in lieu: The Town may, at its sole discretion, accept cash in lieu of open space requirements where such funds can be more effectively used to acquire land at a more appropriate or significant location consistent with the Vineyard Town Center Vision, as described in this ordinance. Cash in lieu payments shall not be accepted until a qualified appraisal, authorized by the Town and at the cost of the applicant, identifying the value of the original land for which the in lieu substitution is proposed, based on the use that will be permitted if the open space requirement is removed, and for which cash in lieu shall be offered. The Town shall be obligated to use in lieu funds within the Town Center for uses identified in this Chapter, and shall diligently pursue purchase of the land for this purpose to prevent erosion of purchasing power.
- (2) Land in lieu: The Town may, at its sole discretion, accept land in lieu of open space requirements under the following conditions:
  - (a) The proposed land to be substituted is consistent with the Vineyard Town Center plan map identifying substitute sites for open space;
  - (b) Other land is acceptable to and approved by the Town as open space in a location determined by the Town to be a substitute site;

4. In lieu substitution applications shall first be reviewed by the Town Planner as a part of the initial application. Approval of the in lieu substitution shall be obtained from the Town Council before. Final Site Plan or issuance of a building permit, whichever occurs first.

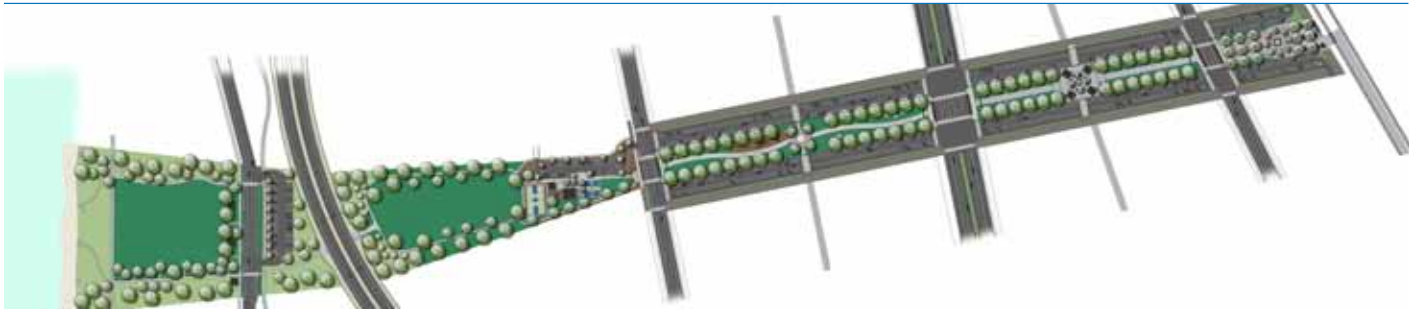


Figure 6.2 (1). Lake Promenade

## 6.2 Lake Promenade.

### 1. Intent.

To complete the greenway as the premier open space for the Town Center. The Promenade includes a strolling path, landscaping, public art, WIFI, and unique experiences. Activities in the entire corridor include walking, bike, recreation, commuting, and relaxing.

- (1) Additional improvements may be installed in the Lake Promenade and become credited to the open space requirement as approved by the Town Planner.

### 2. Block Descriptions (east to west)

- 1) Block 1 - closest to the Station this block serves mostly an external function and provides wayfinding and temporary waiting structures. See figure 6.2 (2) for concept.
- (2) Block 2 - with a potential food truck court and small event/music venue structure, this block caters to the adjacent residential, office, and commercial uses. It will attract external visitors, however. See figure 6.2 (3) for concept.
- (3) Block 3 - this block provides recreation and activities for the adjacent neighborhood as well as a historic open air museum for the area's history. It includes water features such as a splash pad for the neighborhood and destination playground. See figure 6.2 (4) for concept.
- (4) Block 4 - including a stormwater detention function, this block provides a larger open green space that accommodates outdoor concerts, seating, and active recreational sports such as basketball, and pickle ball. Parking is provided on site. See figure 6.2 (5) for concept.
- (5) Block 5 - with direct access to the beach, this block includes waterfront related functions, with a shaded picnic tables, barbecues, a central grass or sand open space, and additional parking. Trails connect though this block. See figure 6.2 (6) for concept.

### Lake Promenade Requirements

#### (1) Dimensions

Minimum Size (acres)	None
Maximum Size (acres)	None
Minimum Dimension (feet)	100' wide
Minimum Access/Exposure	100% of total length
Clear Zones	6' minimum pedestrian clear zone maintained around outdoor furnishings/ merchandising

#### (2) Improvements

Playgrounds Permitted	Permitted, conditional on safety review
Restrooms	Permitted, conditional on safety review
Impervious/Semi-Pervious Surface	40% minimum 80% + 10% maximum
Pathway	10' minimum
Lighting	Required, Fixtures to be determined
Trees	1 small-medium shade tree per 20' or 1 large shade tree per 30'
Landscaping	50% live plant material in planter areas
Bicycle facilities	Permitted
Seating	Permitted
Furnishing	Permitted





## 6.0 Open Space Types

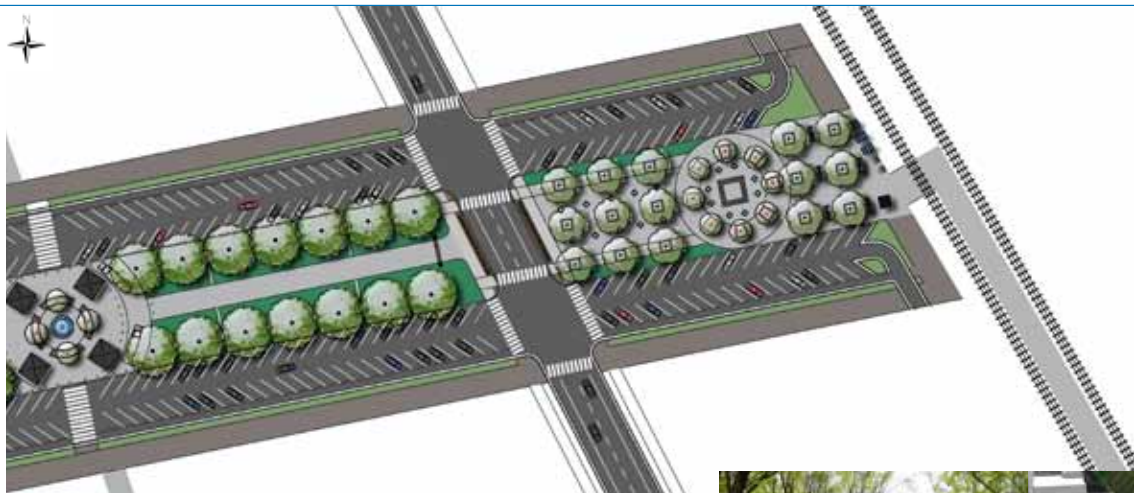


Figure 6.2 (2). Block 1 of Lake Promenade Concept. Features:

- Plaza with seating and shade
- Main focal point sculpture
- Bicycle storage
- Way-finding and information kiosk

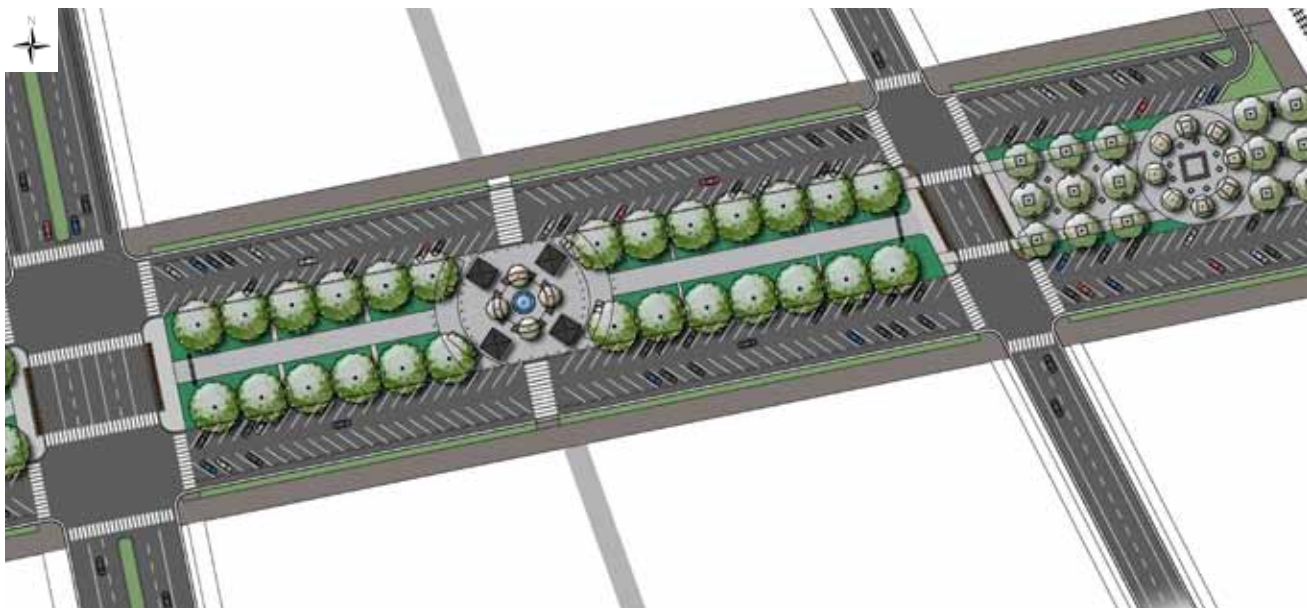


Figure 6.2 (3). Block 2 of Lake Promenade Concept. Features:

- Multipurpose open space for farmer's market, or other events
- Pavilions
- Restrooms
- Water feature
- Space for food trucks
- Plaza space with seating
- Entrance arbor with grape vines



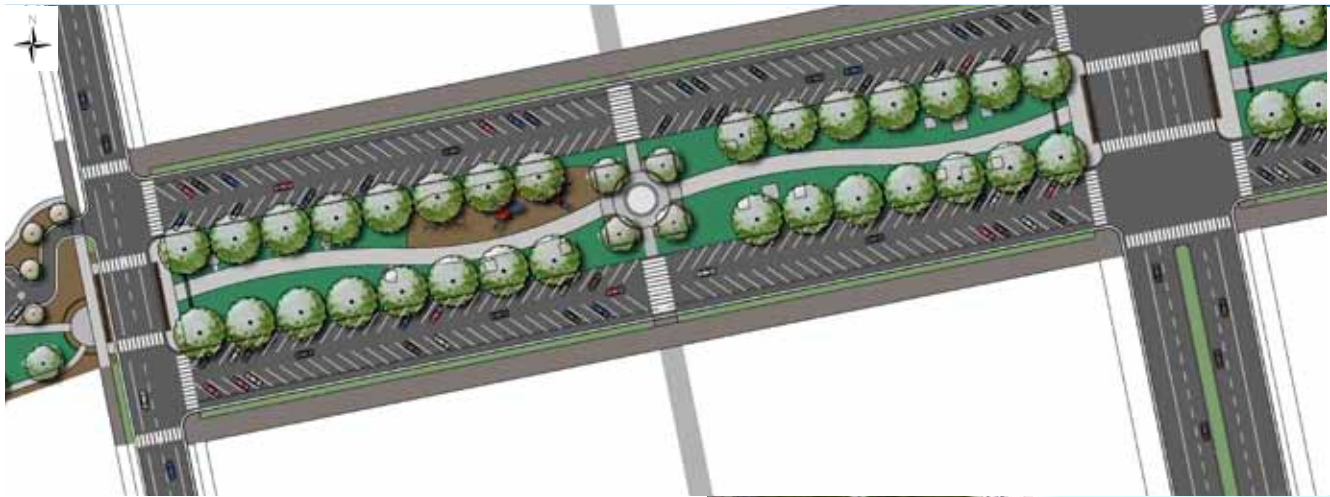


Figure 6.2 (4). Block 3 of Lake Promenade Concept. Features:

- Cultural and art display
- Destination playground
- Picnic areas
- Splash pad

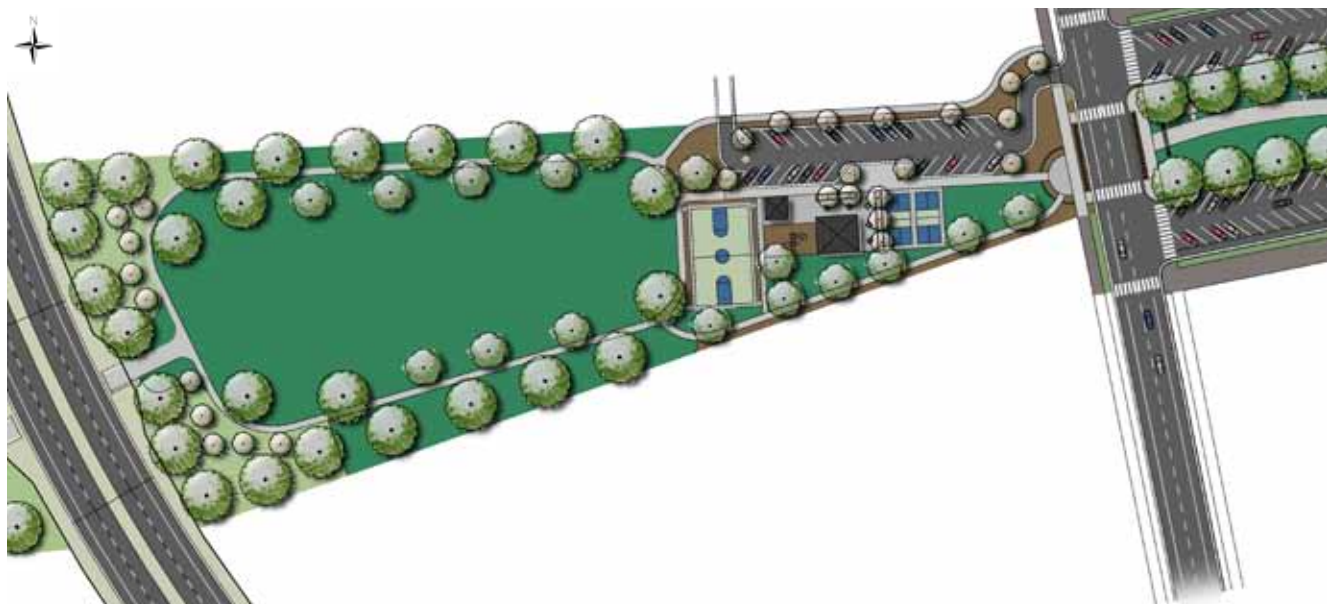


Figure 6.2 (5). Block 4 of Lake Promenade Concept. Features:

- Sports courts/fields
- Restrooms
- Large Pavilion
- Playground
- Walkway turns into recreational trail
- Parking





## 6.0 Open Space Types

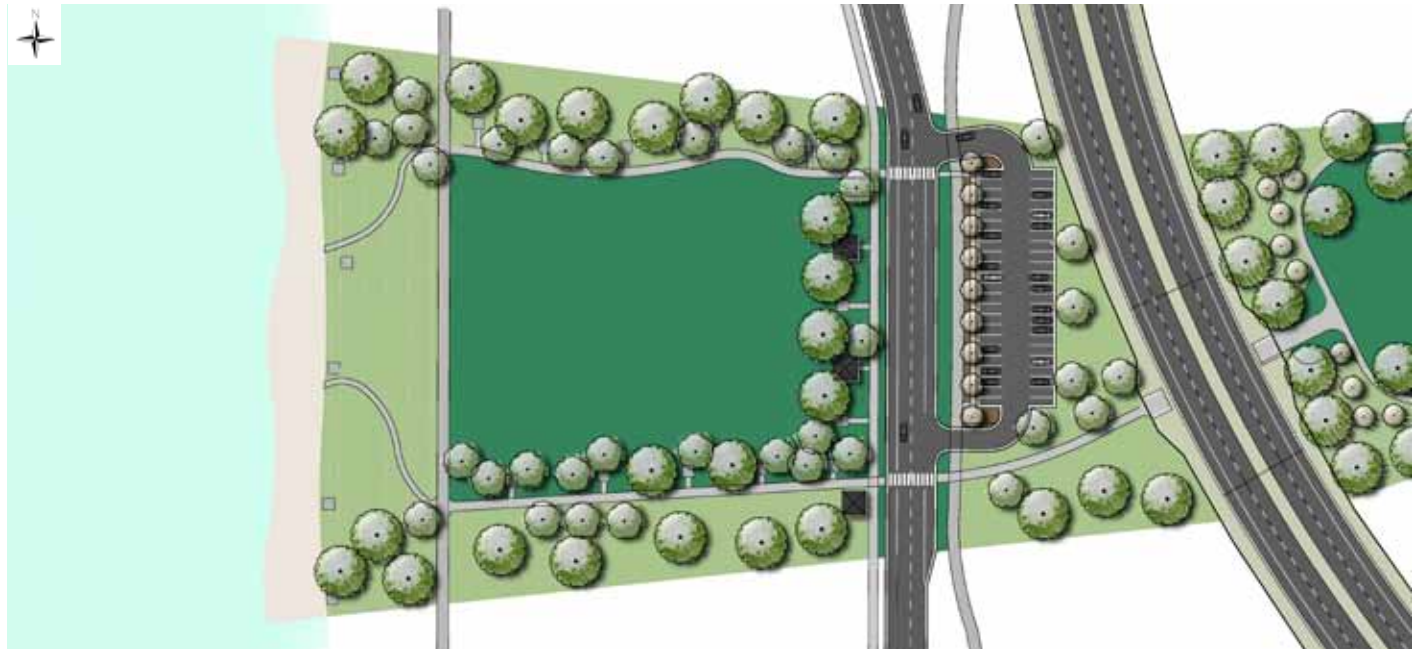


Figure 6.2 (6). Block 5 of Lake Promenade Concept. Features:

- Sand beach
- Lake activities
- Open fields
- Bike share station
- Pavilions
- Day use Picnic/Barbecue areas
- Connection to larger trail systems
- Parking
- Pedestrian underpass beneath Vineyard Connector





Figure 6.3 (1). Typical Plaza Layout.

### 6.3 Plazas.

#### 1. Intent.

To provide small-scale outdoor space for civic, social and commercial purposes. Plazas on corners highlight Main Street. The space may also include pedestrian and building access routes. Activities may include meeting, relaxing, performance, casual workspace, outdoor dining. Plazas may also accommodate transit stations, bike facilities, food vendors, events, and performance.

A Plaza may contain a greater amount of impervious coverage than any other Open Space Type. Surfacing shall be brick or concrete pavers or stamped and colored concrete and include street furniture seating for at least 4 persons. Special features such as fountains, public art, game tables, accent lighting are encouraged.

Plaza Requirements	
(1) Dimensions	
Minimum Size (acres)	0.01
Maximum Size (acres)	1.0
Minimum Dimension (feet)	20' in one direction
Minimum Access/Exposure	100% of total plaza length open to the street
Clear Zones	6' minimum pedestrian clear zone maintained around outdoor furnishings and merchandising
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Corner, Street
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Partially Enclosed Structures Permitted	Permitted to max of 10% of plaza space
Impervious/Semi-Pervious Surface	80% maximum
Lighting	Required, max 16' fixture height
Seating	1 per 300 square feet
Trees	1 per 500 square feet
Landscaping	50% live plant material in planter areas



Figure 6.3 (2). Typical Plaza



Figure 6.3 (3). Plaza

## 6.0 Open Space Types

### 6.4 Pocket Park.

#### 1. Intent.

To provide an informal, small to medium scale outdoor space for active and passive recreation. Pocket Parks are encouraged in the TCS, TCMU, Village Office and Lake Front commercial areas. They may be privately owned and access controlled. Activities may include small playgrounds, vegetable gardens, barbecue, pavilion, and outdoor gathering areas.

Pocket Park Requirements	
(1) Dimensions	
Minimum Size (acres)	0.5
Maximum Size (acres)	1.5
Minimum Dimension (feet)	30' in one direction
Minimum Access/Exposure	50% of total length of street
Clear Zones	4' minimum pedestrian clear zone maintained around outdoor furnishings/merchandising
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Permitted for max of 10% of space
Impervious/Semi-Pervious Surface	30%+10% maximum
Lighting	Required, max 16' fixture height; meet minimum Illuminating Engineering Society safety standards
Seating	1 per 300 square feet
Trees	1 per 500 square feet
Landscaping	50% live plant material in planter areas

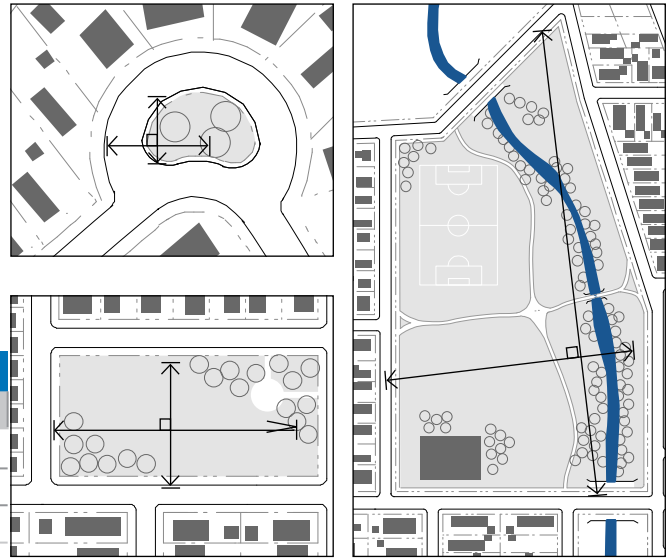


Figure 6.4 (1). Examples of Measuring the Minimum Dimension of Open Space Types.



Figure 6.4 (2). Typical Pocket Park Layout.





Figure 6.5 (1). Typical Commons

### 6.5 Commons or Courtyard.

#### 1. Intent.

To provide outdoor amenities and living space to property tenants. Activities may include playground, swimming pool, spa pool, rooftop garden, tot lot, vegetable gardens, barbecue, pavilion, and outdoor gathering areas. Courtyards are typically internal to a development and may be privately owned and access controlled, but are encouraged to be located adjacent to and opening onto streets.

Commons or Courtyard Requirements	
(1) Dimensions	
Minimum Size (acres)	0.1
Maximum Size (acres)	3.0
Minimum Dimension (feet)	45' in one direction
Minimum Access/Exposure	50% of total length of street or S-Line frontage. Two access points minimum, 20' minimum width
Clear Zones	4' minimum pedestrian clear zone maintained around outdoor furnishings and merchandising
(2) Adjacent Parcels	
Permitted Districts	All
Frontage Orientation of Adjacent Parcels	Side or Rear
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Partially Enclosed Structures Permitted	Permitted to max of 10% of space
Impervious/Semi-Pervious Surface	30% + 10% maximum
Lighting	Required, max 16' fixture height
Seating	1 per 100 square feet, 1 table per 2000 square feet
Trees	1 per 500 square feet
Landscaping	50% live plant material in planter areas



Figure 6.5 (2). Typical Commons and Courtyards



# 7.0 Landscape

## 7.1 General Requirements.

### 1. Intent.

The landscape standards outlined in this section are designed to meet the following set of goals:

- (1) To provide for a healthy green landscape and develop a street canopy.
- (2) To improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.
- (3) To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
- (4) To promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.
- (5) To shade large expanses of pavement and reduce the urban heat island effect.
- (6) To enhance the appearance and property values of the community, building sites, and the overall landscape.

### 2. Applicability.

Landscaping, trees, and buffers shall be installed as detailed in the Landscape ordinance.

- (1) The amount of on site landscape square footage required (not including public right of way) is 50% of required open space. If the open space requirements is reduced through "In Lieu of Open Space" as shown in 6.0 Open Space then the required landscape square footage is also reduced.
- (2) Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions:
  - (a) Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared between two adjoining lots.
  - (b) Points of Access. Buffering is not required at driveways or other points of access to a lot.
- (3) Streetscape. Landscaping along streets is required as outlined in 3.0 Street Types.
- (4) Temporary Uses. These provisions do not apply to temporary uses, unless determined otherwise by the Town Planner.
- (5) Unless otherwise specified in this chapter, all requirements of the Vineyard Town Municipal Code pertaining to landscape requirements shall apply.
- (6) Street Trees. Refer to section 3.0 Street Types and the Vineyard Town Municipal Code for appropriate street tree specifications.

## 7.2 Installation of Landscape.

### 1. Intent.

The following provisions aid in ensuring that all required

landscaping is installed and maintained properly.

### 2. Applicability.

These provisions apply to landscape installation as required by this section.

### 3. General Installation Requirements.

The installation of landscaping shall adhere to the following standards.

- (1) National Standards. Best management practices and procedures according to the nationally accepted standards shall be practiced.
  - (a) Installation. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.
  - (b) Maintenance and Protection. All landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
- (2) Installation. Landscaping shall be fully installed prior to the issuance of a certificate of completeness.
  - (a) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 1.5 times the installation costs as estimated by a qualified professional.
  - (b) Complete installation is required within nine months of the issuance of the temporary certificate of occupancy or occupancy permit or the cash escrow or letter of credit may be forfeited.
- (3) Plant Size Requirements. Plant material shall be sized according to Table 7.2 (1) at the time of installation, unless otherwise noted in this section.
- (4) Condition of Landscape Materials. The landscaping materials used shall be:
  - (a) Healthy and hardy with a good root system.
  - (b) Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.
  - (c) Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.
  - (d) Appropriate for the conditions of the site, including slope, water table, and soil type.
  - (e) Protected from damage by grates, pavers, or other measures.
  - (f) Plants that will not cause a nuisance or have negative impacts on an adjacent property.
  - (g) Species native or naturalized to the Wasatch Front, whenever possible.

- (5) Compost, Mulch, and Organic Matter. Compost, mulch, and organic matter may be utilized within the soil mix to reduce the need for fertilizers and increase water retention.
- (6) Establishment. All installed plant material shall be fully maintained until established, including watering, fertilization, and replacement as necessary.

#### 4. Ground Plane Vegetation.

All unpaved areas shall be covered by one of the following.

- (1) Planting Beds.
  - (a) Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
  - (b) Nonliving materials, such as pine straw, colored gravel, or mulch, are permitted for up to 50% of a bed area.
  - (c) Annual beds must be maintained seasonally, replanting as necessary.
- (2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas.
  - (a) Grass shall be established within 90 days of planting or the area must be reseeded, replugged, or resodded.
- (3) Shrubs requirements. 50 shrubs are required per 1 acre of project size. 2 perennials or ornamental grasses count towards 1 shrub.

#### 5. Tree Installations.

Refer to the list of permitted street tree types.

- (1) Tree Measurement. Tree size shall be measured by caliper at 4 feet above root flare or by container size.
- (2) Tree Maintenance. Tree trimming, fertilization, and other similar work shall be performed by or under the management of an ISA certified arborist.
- (3) Species Composition. Trees planted on a site shall be any combination of permitted species with the following exceptions.
  - (a) For less than 20 required trees a minimum of 2 different species shall be planted
  - (b) For more than 20 trees a minimum 1 tree species type per every 10 trees up to 50 trees.
  - (c) Exceptions to this provision may be granted by the Town Planner through review of the landscape plan (refer to 10.2.6(3)(x) Landscape Plan).
- (4) Tree Size. All trees to be installed to meet the requirements of this section shall be a minimum of 2 inch caliper at the time of installation.
- (5) Tree Spacing.
  - a. Trees shall be planted at least 30 feet and 20 feet apart for large and medium trees, respectively.
  - b. No trees may be planted closer to any curb or sidewalk than as follows unless a permeable surface is provided:

- (6) Tree Requirements. 20 trees are required per 1 acre of project. Street trees do not count toward this requirement.
  - (1) Medium trees: three feet.
  - (2) Large trees: four feet.
- (6) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this ordinance.
  - (a) At least seventy 70% of the canopy limits of preserved trees should have a permeable surface.
  - (b) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 7.2 (2) for details.
  - (c) Permeable area for one tree cannot count toward that of another tree.
- (7) Structural Soil. When the Soil Surface Area (per Table 7.2 (2)) of a tree will extend below any pavement, structural soil is required underneath that pavement. Structural soil is a medium that can be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits (source: Cornell University, Urban Horticulture Institute).

Plant Material Type	Minimum Size
<b>Deciduous Shade/Overstory Tree</b>	
Single Trunk	2" caliper
Multi Trunk	10' in height
<b>Evergreen Tree</b>	8' in height
<b>Understory Tree</b>	6' in height
<b>Ornamental Tree</b>	1.5" caliper
<b>Shrubbery - Deciduous</b>	container class 5
<b>Shrubbery - Evergreen</b>	container class 5
<b>Groundcover</b>	3" in height

Table 7.2 (1). Plant Material Size at Installation.

## 7.0 Landscape

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### 6. Irrigation Systems.

Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.

- (1) All irrigation systems shall be designed to minimize the use of water.
- (2) Non residential landscape irrigation shall have an automatic clock-activated permanent system.
- (3) The irrigation system shall provide sufficient coverage to all landscape areas.
- (4) The irrigation system shall not spray or irrigate impervious surfaces, including sidewalks, driveways, streets, and parking and loading areas.
- (5) All culinary fed systems shall be equipped with a back-flow prevention device.
- (6) All mechanical systems including controllers and back-flow prevention devices shall be properly screened from public view.

### 7.3 Street Trees & Streetscape Design.

#### 1. Intent.

To line all new streets with a consistent and appropriate planting of trees, pavement design, and identity to establish tree canopy for environmental benefit and a sense of identity for all new streets.

#### 2. Streetscape Design Submittal.

A consistent streetscape design shall be submitted for approval for all new streets within the development. At a minimum, the submittal shall include the following:

- (1) Street Trees. Trees meeting the minimum requirements of 7.3.4, below, shall be included in the streetscape design, with details related to tree pits, tree planting to meet the requirements of 7.2.5 Tree Installations.
- (1) Sidewalk Pavement Design. Sidewalk paving materials and pattern shall be set for each street type (refer to 2.0 Street Types).
- (2) Street Furnishings. Benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks at the least shall be specified and quantities and locations listed for each street type (refer to 2.0 Street Types).
- (3) Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.
- (4) Lighting. Pedestrian and vehicular lighting shall be specified and locations and quantities noted.
- (5) Identity Elements. Any other elements designed to establish the identity of each Street, such as banners, pavement markers, artwork, or signage, shall be included in the

streetscape design submittal.

### 3. Minimum Street Tree Requirements.

The following standards apply to the installation of street trees.

- (1) Exception. Street Trees are not required on Alleys (refer to 2.4 and 2.5 Street Types).
- (2) Clear Branch Height. Minimum clear branch height is six feet; in commercial districts, minimum clear branch height is eight feet.
- (3) Street Tree Type. Medium and large shade trees are permitted to be installed as street trees. Refer to the list of permitted tree types in Table 7.3 (6).
- (4) Street Tree Spacing. Street trees shall be planted as follows.
  - (a) Each Lot is required to have one tree for every 40 feet of street frontage with a minimum of one street tree.
  - (b) Spacing.
    - (i) Large trees must be spaced a minimum of 30 and a maximum of 60 feet on center.
    - (ii) Medium trees must be spaced a minimum of 20 and a maximum of 40 feet on center.
  - (c) Limited Distance between Curb and Sidewalk. Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet with a sidewalk, Applicant shall work with the Town Planner to determine the appropriate tree species.
- (5) Tree Wells. Where the sidewalk extends from the back of curb to the property line, tree wells shall be utilized.
  - (a) For tree wells adjacent to sidewalks five feet wide or less, open soil is not permitted.
    - (i) The opening must be covered with a tree grate or pervious pavement.
    - (ii) The opening in a tree grate for the trunk must be expandable.
- 6) Street Tree Lists

#### Permitted Medium Trees

Fairview Maple	<i>Acer platanoides</i> 'Fairview'
Sensation Boxelder	<i>Acer negundo</i> 'Sensation'
Manchurian Ash	<i>Fraxinus mandshurica</i> 'Mancana'
Lacebark Elm	<i>Ulmus parvifolia</i>
Frontier Elm	<i>Ulmus parvifolia</i> 'Frontier'
Japanese Zelkova	<i>Zelkova serrata</i>
Chanticleer Pear	<i>Pyrus calleryana</i> 'Chanticleer'

#### Permitted Large Trees

Sycamore Maple	<i>Acer pseudoplatanus</i>
Emerald Queen Maple	<i>Acer platanoides</i> 'Emerald Queen'
Catalpa	<i>Catalpa speciosa</i>
Hackberry	<i>Celtis occidentalis</i>
Cimmaron Ash	<i>Fraxinus pennsylvanica</i> 'Cimmaron'
Marshall Seedless Ash	<i>Fraxinus pennsylvanica</i> 'Marshall Seedless'
Patmore Ash	<i>Fraxinus pennsylvanica</i> 'Patmore'
Ginkgo	<i>Ginkgo biloba</i> 'Princeton Sentry'
Honeylocust	<i>Gleditsia triacanthos</i>
London Planetree	<i>Platanus x acerifolia</i>
Japanese Pagodatree	<i>Sophora japonica</i>
Sterling Silver Linden	<i>Tilia tomentosa</i> 'Sterling'
Accolade Elm	<i>Ulmus carpinifolia</i> 'Accolade'

#### 4 Street Tree Selections for Main and the Lake Promenade Streets.

##### (1) Main Street

Parkstrips shall include the Fairview Maple

Median shall include the Sycamore

##### (2) Promenade Parkstrips

Block 1 - Japanese Pagoda

Block 2 - London Planetree (columnar on streets and Bloodgood on Promenade)

Block 3 - Frontier Elm 'Allee'

Block 4 - NA

Block 5 - NA

- (3) All developments shall pay a fee to the Town for Street trees and their installation. Fees shall be determined based on the length of frontage and appropriate tree spacing as per this Code. Fees will differ by street and installation techniques. Such trees will be maintained by Vineyard Town and watered by the adjacent property owner. The intent of this requirement is to assure uniformity of tree size, type, placement, and installation.



# 7.0 Landscape

## 7.4 Parking Lot Frontage Buffer.

### 1. Intent & Applicability.

- (1) Intent. To lessen the visual impact of vehicular areas visible from public street frontages.
- (2) General Applicability. Applies to properties in all districts where a vehicular area is located adjacent to a right-of-way.
  - (a) Exceptions. Vehicular areas along Lanes, except when a residential district is located across the Lane; single and two family residences.

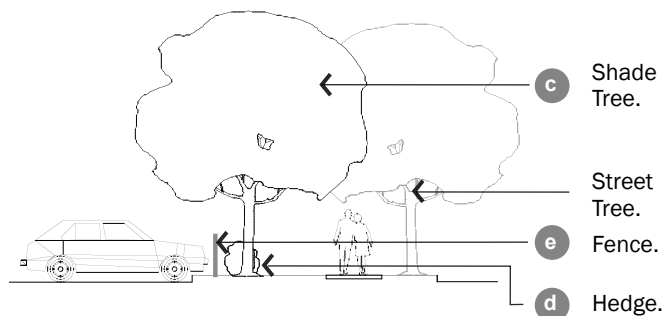
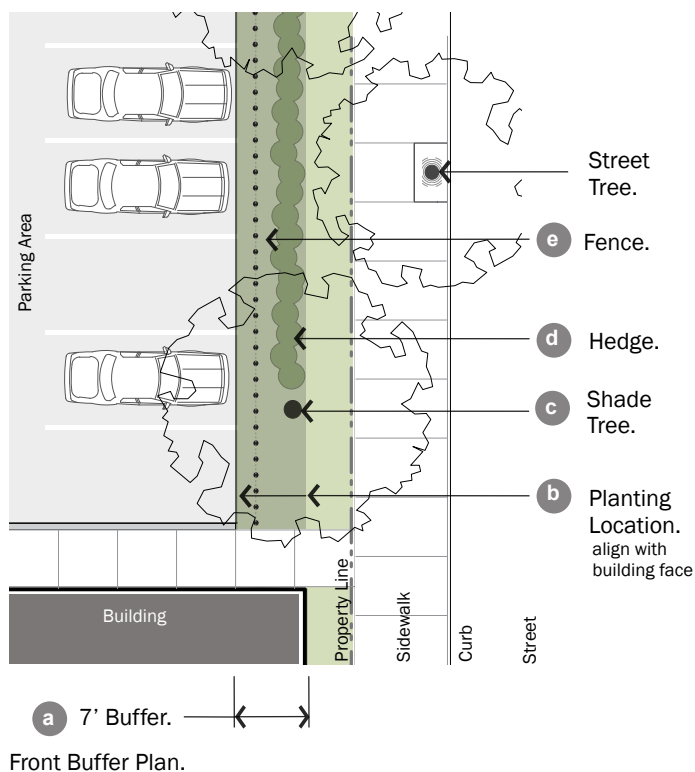


Figure 7.4(1) Frontage Buffer Plan and Section.

### 7.4 Frontage Buffer Requirements

#### 1. Buffer Depth & Location <sup>1</sup>

Depth	7'	<b>a</b>
Location on the Site	Between street facing property line and parking area <sup>2</sup>	<b>b</b>

#### 2. Buffer Landscape Requirements

Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees	<b>c</b>
Hedge	Required parking screen on street side of fence, between shade trees & in front of vehicular areas	<b>d</b>
Hedge Composition	Individual shrubs with a minimum diameter of 24", spaced no more than 36" on center, height maintained no more than 36"	
Existing Vegetation	May be credited toward buffer area	

#### 3. Fence (optional) **e**

Location	2' from back of curb of vehicular area
Approved Materials	Composites, steel, wood, vinyl (no white), or plastic composite wood alternative (Trex like). Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted. Chain-link not permitted.
Minimum Height	3'
Maximum Height	4'
Colors	No bright or white colors
Opacity	Minimum 75%
Gate/Opening	One pedestrian gate permitted per street frontage; Opening width maximum 6'

Notes:

<sup>1</sup> This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

<sup>2</sup> In front, corner, and rear yards (on a through lot), when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

## 7.5 Side & Rear Buffer.

### 1. Intent & Applicability.

- (1) Intent. To minimize the impact that one zoning district may have on a neighboring district and to provide a transition between districts.
- (2) General Applicability. Applies to all properties in all districts that directly abut a residential use.

### 7.5 Rear Buffer Requirements

#### 1. Buffer Depth & Location

Depth	20' adjacent to residential uses	a
Location on the Site	Locate buffers on more intensively zoned lot; Buffer is measured from side and rear property lines.	

#### 2. Required Landscape Screen

Width	5' landscape screen in addition to any other buffer landscaping	b
Location	Directly adjacent to the rear or side property line	
Hedge or Fence	Continuous double row of shrubs required between shade trees; fences shall be opaque and not white.	c
Hedge Composition	Double row of individual shrubs with a minimum diameter of 24", spaced no more than 36" on center; Mature height in one year of 24"	
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer	d

#### 3. Buffer Landscape Requirements

Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer	
Tree Canopy Coverage	1 medium or large shade tree required per 100 square feet of buffer, excluding the area within the required landscape screen	
Existing Vegetation	May be credited toward buffer area	
Fence	Optional; same standards for frontage buffer 8' height maximum	

Notes:

<sup>1</sup> Town Planner may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and topography.

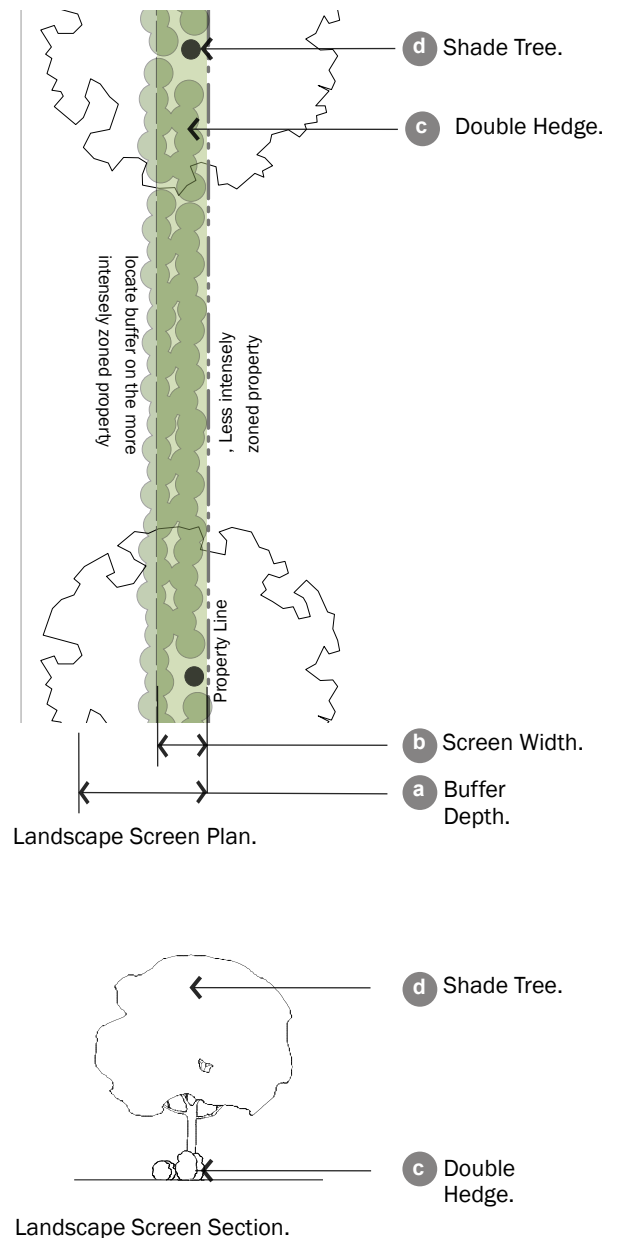


Figure 7.5(1). Landscape Screen within Side & Rear Buffer.

## 7.0 Landscape

### 7.6 Interior Parking Lot Landscape.

#### 1. Intent & Applicability.

- (1) Intent. To provide shade, minimize paving & stormwater runoff, and improve the appearance of parking lots.
- (2) General Applicability. All open-air, off-street parking lots in all districts.
- (3) Other Internal Parking Lot Areas. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 square feet thereafter.
- (4) Existing Vegetation. Existing vegetation may be credited toward these requirements.
- (5) All landscaped islands are encouraged to accommodate stormwater runoff with slotted curbs, trench drains or similar.

7.6 Interior Parking Lot Landscape Requirements	
1. Landscape Island Requirements	
<b>Required Island Locations</b>	Terminal ends <sup>2</sup> of free standing rows or bays of parking; After every 12th parking space for rows of parking greater than 8 spaces in length <sup>3</sup>
<b>Minimum Width</b>	5'; Islands less than 15' must utilize structural soil under any paved surface within a tree's critical root zone; Islands under 9' shall provide for aeration
<b>Required Trees Within Islands</b>	Minimum of 1 medium or large shade tree per island
2. Landscape Median Requirements	
<b>Required Median Location</b>	Required in each free-standing bay of parking along the length of the bay
<b>Minimum Width</b>	5'; Medians less than 15' wide must utilize structural soil under any paved surface within a tree's critical root zone
3. Tree Requirements	
<b>Requirements per Parking Space <sup>4</sup></b>	Each parking space must be located within 50' of a tree planted within parking lot interior  Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 8 parking spaces
<b>Tree Canopy Shade</b>	Within 20 years of tree installation, 25% of the interior of the parking lot should be shaded by tree canopies. Refer to Table 7.4 (1) for calculation.

#### Notes:

<sup>1</sup> Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.

<sup>2</sup> Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

<sup>3</sup> There shall be no more than 8 continuous parking spaces in a row without a landscape island.

<sup>4</sup> Trees within a designated buffer area may not be utilized to meet these requirements

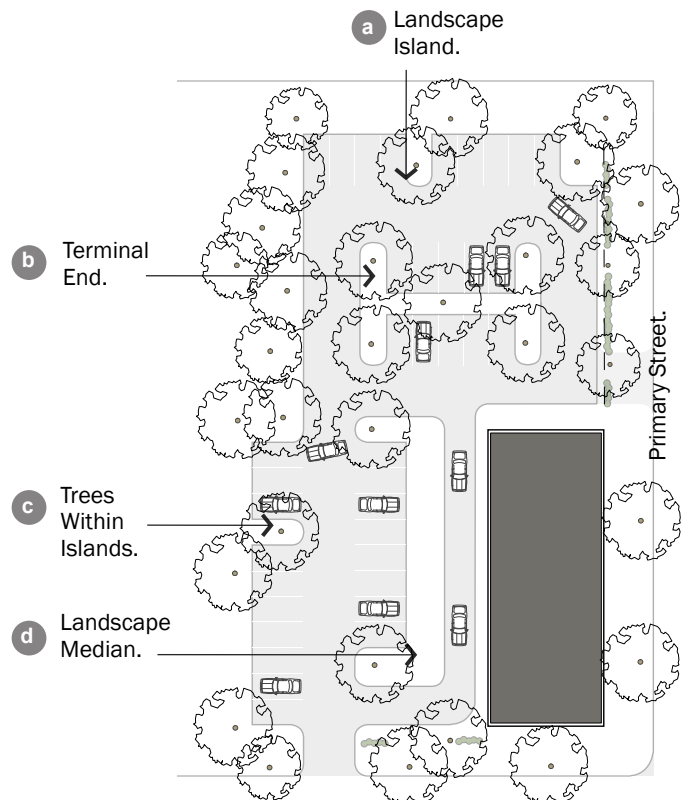


Figure 7.6 (1). Interior Parking Lot Landscaping.

Table 7.6 (1). Tree Canopy Calculation		
Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	Under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

7.7 Screening of Open Storage, Refuse Areas, and Utility Appurtenances.

1. Intent & Applicability.

- (1) Intent. To reduce the visibility of refuse areas, and utility appurtenances from public areas and adjacent properties.
- (2) General Applicability. All waste containers, open storage, refuse areas, and utility appurtenances in all districts.

7.7 Screening of Open Storage, Refuse Areas, & Utility Appurtenances

1. Open Storage & Refuse Area Screening Requirements

Location on the Site	Not permitted in front or corner side yards	
Opaque Screen Wall <sup>1</sup>	Required around 3 sides of the dumpster and refuse area matching building exteriors or as approved by the Town Planner	a
Screen Wall Height	Height shall be the higher of the following: 1. 6' 2. Height as determined by Town Planner to accomplish objective of the screen	
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates	b
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas <sup>2</sup>	c

2. Utility Appurtenance Screening Requirements

Large Private Mechanical Equipment <sup>3</sup>	Shall be fenced with opaque wood or brick-faced masonry on all sides facing a public street.
Small Private Mechanical Equipment <sup>4</sup>	Shall have landscape screening and a shrub bed containing shrubs with a minimum 24" diameter spaced no more than 36" on center

Notes:

<sup>1</sup> Vertical structured barrier to visibility at all times such as a fence or wall

<sup>2</sup> This tree, if located within 50' of a parking space, may be utilized to meet the minimum shade requirements

<sup>3</sup> Large private mechanical equipment is equal to or greater than 4' in height

<sup>4</sup> Small private mechanical equipment is smaller than 4' in height

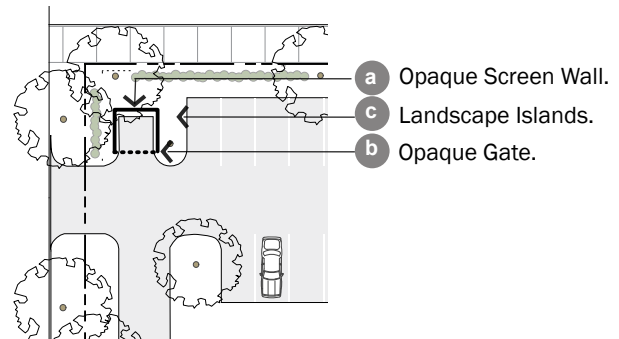


Figure 7.7 (1). Screening of Open Storage & Refuse Areas.

## 8.0 Parking

### 8.1 General Requirements.

#### 1. Intent.

Parking requirements are established to accomplish the following:

- (1) Ensure an appropriate level of vehicle parking, loading, and storage to support parking within the Town Center and districts.
- (2) Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning districts.
- (3) Provide specifications for vehicular site access.

#### 2. Applicability.

This section shall apply to all new developments and changes in use or intensity of use for existing development, in any district.

- (1) Damage or Destruction. When a use that has been damaged or destroyed by fire, collapse, explosion, or other cause is reestablished, any associated off-street parking spaces or loading facilities must be re-established based on the requirements of this section.
- (2) Site Plan Approval Required. Parking quantities, design, and layout shall be approved through the development application process and meet the standards of the current parking chapter with the following exceptions:
  - (a) The standard requirement for residential parking is 2 stalls per unit. Parking requirements for all other uses can be found in the parking chapter of this Code. The Town Planner may consider increases or reductions to standards outlined in Table 8.1 (1), up to 20% of the standard requirement and to a minimum of 1.5 per unit.
- (3) Unless otherwise stated in this chapter, all requirements of the Vineyard Town Municipal Code Chapter 19 Parking and Loading Requirements. Reductions may be granted by the

**Table 8.1 (1). Eligible Parking Rate Reductions**

Amenity	Recommended Reduction (stalls/unit)
Unbundled Parking (100%)	0.1
Bike Lockers/Storage	0.05
Development Supplied Transit Passes	0.15
Senior Housing	0.2
Student Housing (< .25 miles from campus)	0.1
Project Controlled On-Street Parking	0.1
Building within 1/4 mile of UTA Station	0.1

Town Planner pursuant to a traffic study by a transportation engineer upon good cause shown or as follows:

In no case shall reductions be allowed greater than 25% of the standard.

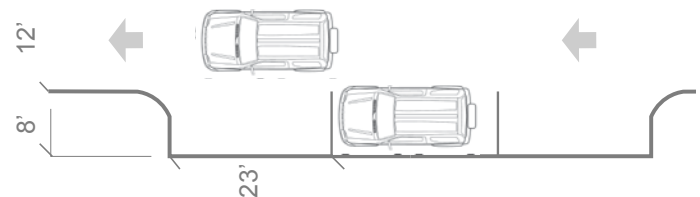
#### 3. Dedicated Visitor Parking.

Developers shall clearly indicate the location of dedicated visitor parking through directional signage, marked stalls, or other means to be determined in site plan review.

#### 4. Parking Spillover Management Plan.

If deemed necessary the Town Planner shall require a parking spillover management plan for peak demand periods.

#### 5. Vehicular On-Street Parking.



**Figure 8.1 (1) On-Street Parking Dimensions.**

On-street parking, as permitted on designated street types, shall meet the following requirements. Refer to Figure 8.1 (1)

- (1) Parallel parking is permitted on designated street types and shall not be striped.
- (2) Vehicular Parking Space Dimensions. The appropriate dimensions for on-street parking spaces are 23' by 9'.
- (3) On-street parking located directly adjacent to the site's property lines may not be counted toward meeting the development's parking requirement, except in the case of flex space. Flex space may count the on-street parking for the future non-residential use.

#### 6. Stormwater Management in Parking Lots.

Incorporation of stormwater management best practices is required, such as incorporating drainage swales and slotted curbs in medians and within landscaped islands in parking lots. Final design shall meet the requirements of the Town Engineer.

#### 7. Lighting

Parking lot lighting shall be confined to the lot. No poles shall be located closer than 10' to any street. All lighting shall use cutoff techniques to ensure dark skies intent. All poles shall be black.

**Table 8.1 (2). Eligible Parking Rate Reductions (shared parking)**

Use	Weekday		Weekend		Nighttime
	Daytime (6 am - 6 pm)	Evening 6 pm - Midnight	Daytime (6 am - 6 pm)	Evening (6 pm - Midnight)	Midnight - 6 am
Office/Industrial	100%	10%	10%	5%	5%
General Retail	80%	90%	100%	70%	5%
Hotel, Motel, Inn	75%	100%	75%	100%	100%
Restaurant	65%	100%	80%	100%	50%
Theater/Entertainment	40%	100%	80%	100%	10%
Meeting Center	50%	100%	100%	100%	10%
Multi-Family Residential	50%	90%	90%	90%	100%
All Other Uses	100%	100%	100%	100%	100%

**8. Shared Parking**

When any land or building is under the same ownership or under a joint use agreement and is used for two or more purposes, the number of parking spaces is computed by multiplying the minimum amount of parking normally required for each land use by the appropriate percentage as shown in the following parking credit schedule for each of the five time periods shown (see table 8.1 (2)). The number of parking spaces required is determined by totaling the resulting numbers in each column; the column total that generates the highest number of parking spaces then becomes the parking requirement.

Neighboring property owners may share parking spaces if:

a. a permanent cross-access easement or other recorded agreement is established;

b. pedestrian access between the properties can be gained without utilizing a major public or private street;

c. all of the parking must be located within a 400' radius of the main entrance of the use requesting the additional parking.

d. the combined parking required for all properties can be met as outlined in 7-9-105 or in 7-9-106(1) when involving two or more uses.

**9. Bike Parking**

Bike Parking requirements are outlined in table 8.1 (3)

**Table 8.1 (3). Bike Parking Requirements**

Use	Bicycle Rack Spaces
Multi-Family	Minimum 2 spaces or .05 spaces / bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sf
Retail	Minimum 2 spaces, 1 / additional 5,000 sf
Services	Minimum 2 spaces, 1 / additional 5,000 sf
Office	Minimum 2 spaces, 1 / additional 10,000 sf
Open Space	Per Zoning Administrator

## 9.0 Sign Types

### 9.1 General Requirements.

#### 1. Intent.

This section seeks to enhance the economic and aesthetic appeal of the Vineyard Town Center through the reasonable, orderly, safe, and effective display of signage.

#### 2. Applicability.

These standards shall apply to signage in all districts for non-residential uses only. Unless otherwise stated in this chapter, all requirements of the Vineyard Town Municipal Code pertaining to sign requirements shall apply. Refer to the Vineyard Town Sign Ordinance for permit processes, construction, design and maintenance standards.

#### 3. General Compliance.

Compliance with the regulations outlined shall be attained under the following situations:

- (1) Newly Constructed or Reconstructed Signage. All new signs and structural improvements to existing signs.
- (2) Change in Use for Single Business Signage. For signage serving one business, whenever the existing use is changed to a new use resulting in a change in signage, including rewording.
- (3) Multiple-Business Signage. For signage serving multiple businesses, whenever 50% or more of the existing uses are changed to new uses resulting in a change in signage, including rewording.
- (4) Damage or Destruction. When a sign has been damaged or destroyed by fire, collapse, explosion or other cause and the cost of restoration is greater than 50% of the replacement value at the time of the destruction or damage, the replacement sign shall comply with the standards in this article.

#### 4. Sign Location.

Unless otherwise specified, signs shall only be located within the boundaries of the lot and not in the right-of-way or on public property.

- (1) Certain Sign Types may extend beyond a property line into the right-of-way or public property with permission from the Town Planner and in accordance with the regulations outlined in this section and in the Vineyard Town Municipal Code. A certificate of insurance is required for all signs on or over public property, subject to the standards established in the Vineyard Town Municipal Code.
- (2) No sign shall be attached to a utility pole, tree, standpipe, gutter, or drain.
- (3) Signs shall be erected so as to permit free ingress to or egress from any door, window, the roof, or any other exit-way required

by the building code or by fire department regulations.

- (4) No sign shall be erected or maintained in such a manner as to obstruct free and clear vision of, interfere with, or be confused with any authorized traffic sign, signal, or device, or where it may interfere with vehicle or train line-of-sight.
- (5) Pedestrian Orientation. Signs oriented to the pedestrian realm are required. The bottom edge of each sign should be within 14' of the ground plane, and shall not exceed a total of 25 square feet.

#### 5. Illumination.

All signs shall be illuminated according to the following provisions unless otherwise stated.

- (1) Signs shall be illuminated only by steady, stationary light sources directed solely at the sign or internal to it, except as permitted for Electronic Message Boards.
- (2) Individual letters or logos may be internally illuminated as permitted per each sign type; no other portion of the sign shall be internally illuminated.
- (3) When an external artificial light source is used to illuminate a sign, the lamp (or bulb) shall be located, shielded, and directed so as to not be visible from any public street or private residence.
  - (a) No receptacle or device housing a permitted light source which is attached to the sign itself shall extend more than 18 inches from the face of the Sign.
  - (b) If ground lighting is used to illuminate a sign, the receptacle or device should not extend more than 12 inches above ground and must be fully screened and housed.
- (4) The illumination of any sign, resulting from any internal or external artificial light source, shall not exceed 250 nits at the Sign face during the day and 125 nits at the Sign face after sunset, with no light trespass onto adjacent property. Lighting shall be directed toward the ground.

#### 8. Computation.

The following standards generally apply to computing the area of signs by type and by building lot. Refer to the Sign Types 9.3-9.11 for more information.

- (1) Temporary signs and directional signs are not included in the maximum signage area calculations, unless otherwise specified.
- (2) Height for monument signs is measured from the average grade at the front property line to the top of the sign, sign cabinet, or cap, whichever is highest.
- (3) For the purposes of determining area, lot width or frontage is



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measured along the front property line.

- (a) If the lot is a corner lot, the width shall be measured along the front yard.
- (b) Building frontage is the width of the front facade of a building.

## **9.2 Sign Types.**

### **1. Sign Type Requirements.**

The following pertain to specific sign types detailed in this section.

- (1) Temporary Signs. A-Frame signs constructed of white plastic or wood and internally weighted are allowed. Such signs shall be no greater than eight square feet per side. One such sign is allowed per business and must be located adjacent to the building but still provide a clear pedestrian path of at least 4'.
- (2) Window Signs. Window Signs shall not count towards a lot's maximum permitted amount of signage. Refer to 9.9 Window Signs.
- (3) Signs Facing Onto Parking Lots. One sign is permitted in addition to the maximum.
  - (a) Permitted Sign Types are a wall, projecting, or awning sign.
  - (b) Maximum sign area is 30 square feet.
  - (c) Permitted location is either the side or rear facade along a parking lot.
  - (d) If such signs face existing single family homes, they may not be illuminated.
- (4) Iconic Sign Elements. Iconic signs may be allowed at the discretion of the Town Planner, if the lighting of the sign does not significantly impact adjacent neighbors and the sign helps to identify the Vineyard Town Center. Such signs shall only be allowed in the Town Center Station (TCS), Town Center Mixed-Use (TCMU), and Lake Front Commercial Districts and shall comply with the following.
  - (a) Symbol or Logo Size. The symbol may not be larger than 8 feet in any direction, included in overall sign area and the surface area counts towards the Maximum Permitted Quantity of Signage per Lot.
  - (b) No moving parts or external illumination of the symbol may be provided.
  - (c) Text. The text component of the may not be more than 30% of the overall area of the sign.
- (5) Selection of sign types. No more than one sign type (excluding temporary signs), is allowed per business, unless the second sign type is an iconic sign.



## 9.0 Sign Types

### 9.3 Wall Sign.

#### 1. Description.

Wall Signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to Figures 9.3 (1) and 9.3 (2).

#### 2. General Requirements.

Wall Signs shall be developed according to the standards in Table 9.3 (1).

- (1) Building Openings. Wall Signs shall not cover windows or other building openings.
- (2) Architectural Features. Wall Signs shall not cover architectural building features.
- (3) Murals. Murals, a type of Wall Sign painted onto the building face displaying the business name or activity, may be permitted by the Town Planner, subject to conditional use permits.
- (4) Permitted location. Wall signs shall be permitted on any facade facing street or driveway access.
- (5) Prohibited Wall signs. Internally-illuminated cabinet wall signs including race way lettering are permitted in the Vineyard Town Center.
- (6) Wall signs may also be electronic message centers.

#### 3. Computation.

The area of a Wall Sign is calculated using the following information.

- (1) Wall Signs. Area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements, as is illustrated in Figure 9.3 (1).
- (2) Mural Sign. Area is calculated by measuring the area of the smallest square or rectangle that can be drawn around all of the sign elements, including any painted background. Figure 9.3 (2).



Figure 9.3 (1). Measuring Wall Signs.

Table 9.3 (1). Wall Sign Requirements

Permitted Districts	TCS, TCMU, VO, LFC
Sign Area	3 square feet per 1 linear foot of facade width with a maximum of 150 square feet per sign
Height	2' maximum letter or element height
Location on the Building or Site	Permitted on all facades facing a public street or driveway
Placement on the Building or Site	1' maximum projection from building face
Quantity	1 per first floor business
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

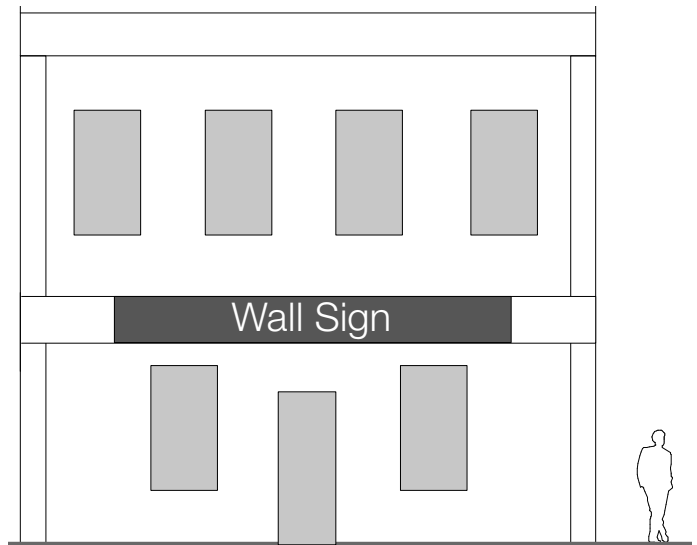


Figure 9.3 (2). Wall Sign.

## 9.4 Projecting Sign.

### 1. Description.

A Projecting Sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than 45 degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 9.4 (1).

### 2. General Requirements.

Projecting Signs shall be developed according to the standards in Table 9.4 (1).

- (1) Permitted location. Projecting signs shall be permitted on Main Street and Lake Promenade Streets

### 3. Computation.

The area of a Projecting Sign is equal to the area of one of the sign's faces.

**Table 9.4 (1). Projecting Sign Requirements**

<b>Permitted Districts</b>	On Main Street and Promenade Streets
<b>Sign Area</b>	No maximum area for sign type;
<b>Height</b>	8' maximum sign length, 14' minimum clearance to pedestrian realm required
<b>Location on the Building or Site</b>	Permitted on all facades facing Main Street or Lake Promenade Street; Sign and structural supports shall not extend above the eave or parapet
<b>Placement on the Building or Site</b>	Shall not project further than 3' from the building
<b>Quantity</b>	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
<b>Sign Separation</b>	No projecting signs shall be located closer together than 25'
<b>Internal Illumination</b>	Permitted for individual letters and logos
<b>Materials</b>	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

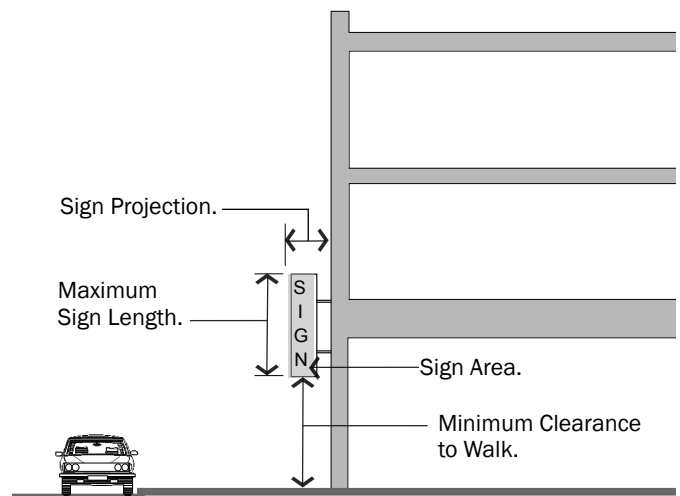


Figure 9.4 (1). Projecting Sign.

# 9.0 Sign Types

## 9.5 Awning Sign.

### 1. Description.

A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figures 9.5 (1) and 9.5 (2).

### 2. General Requirements.

Awning Signs shall be developed according to the standards in Table 9.5 (1).

### 3. Computation.

The area of an Awning Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the awning, as is illustrated in Figure 9.6 (2).

**Table 9.5 (1). Awning Sign Requirements**

<b>Permitted Districts</b>	TCA, TCMU, VO, LFC
<b>Sign Area</b>	Up to 50% of the awning may be used for signage
<b>Height</b>	8' minimum clearance to walk required
<b>Location on the Building or Site</b>	Permitted on all facades
<b>Placement on the Building or Site</b>	Maximum projection from building is 4'; Shall not project closer than 2' from back of curb; Shall not block any window, door, or the building roof.
<b>Quantity</b>	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
<b>Internal Illumination</b>	Allowed to illuminate awning
<b>Materials</b>	Cloth, canvas, metal, glass or wood; All supports shall be made of metal or wood. See also 5.0 Building Types.

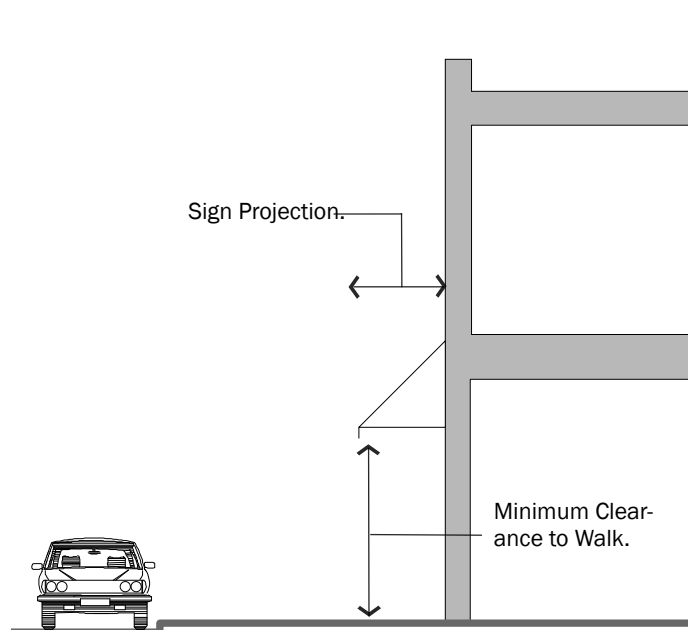


Figure 9.5 (1). Awning Sign.

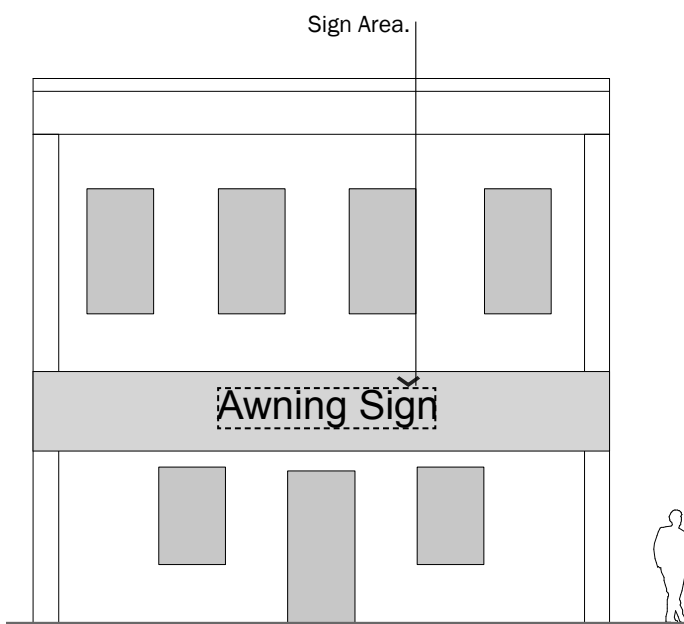


Figure 9.5 (2). Measuring Awning Signs.

### 9.6 Window Sign.

#### 1. Description.

A Window Sign is posted, painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Refer to Figure 9.6 (1).

#### 2. General Requirements.

Window Signs shall be developed according to the standards in Table 9.6 (1).

#### 3. Computation.

A series of windows that are separated by frames or supporting material of less than six inches in width shall be considered a single window for the purposes of computation.

- (1) Measurement. To measure sign area percentage, divide the total sign area by the total window area, as illustrated in Figure 9.6 (1).
- (2) Maximum Allowance. Window Signs are not counted toward a site's maximum signage allowance.
- (3) Exempt Signs. Address and hours of operation are considered exempt Signs and are not counted in the Window Sign area calculation.
- (4) Temporary Window Signs. Temporary Window Signs must be included in the total percentage of signage per window calculation.
- (5) Window Signs may not be internally illuminated except for neon or similar illuminated window signs.

Table 9.6 (1). Window Sign Requirements

Permitted Districts	Facing Main or Lake Promenade Street
Sign Area	Up to 30% of a set of continuous windows may be covered with signage; No more than 50% of any one window panel may be covered with signage
Height	No maximum
Location on the Building or Site	Permitted on all facades facing Main Street or Lake Promenade Street
Placement on the Building or Site	Ground or upper story windows; May be affixed to window or hung/mounted behind glass
Quantity	No maximum quantity, based on window Sign area for ground story; 1 per tenant per floor for upper stories
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn, painted, or affixed on the glass; Wood, metal, neon glass, plastic are also permitted

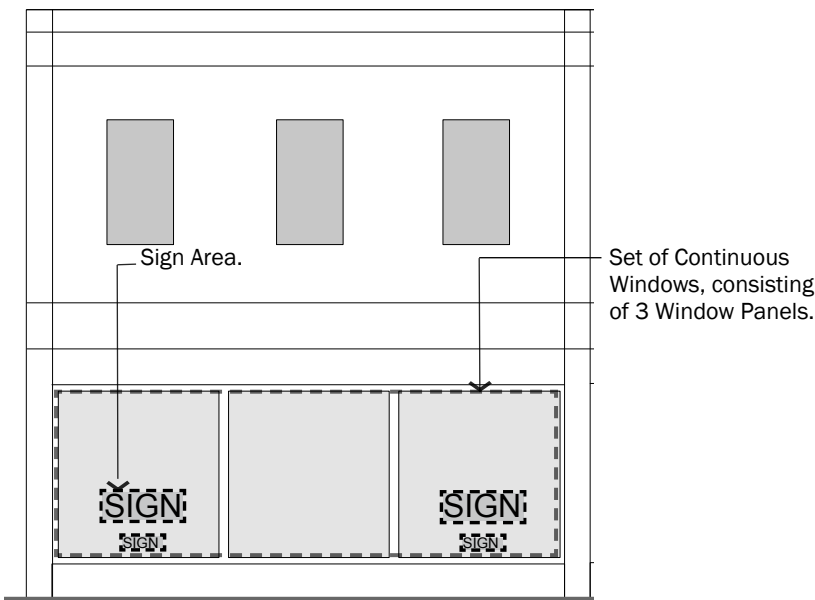


Figure 9.6 (1). Measuring Window Signs.

## 9.0 Sign Types

### 9.7 Monument Sign.

#### 1. Description.

A Monument Sign is freestanding; it is located in a front or side yard of a lot. Refer to Figure 9.7 (1).

#### 2. General Requirements.

Monument Signs shall be developed according to the standards in Table 9.7 (1).

- (1) Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following parameters:
  - (a) Up to two Monument Signs on one frontage.
  - (b) Signs shall be at least 150 feet apart.
- (2) Pole-Mounted Signs. Monument Signs may not be pole-mounted.
- (3) Manually Changeable Copy. The area of any Manually Changeable Copy cannot equal greater than 50% of the area of the sign face on which it is located or 20 square feet, whichever is less.
- (4) May serve multiple purposes such as seating.
- (5) Monument signs may also be electronic message centers

#### 3. Computation.

The area of a two-sided Monument Sign is equal to the area of one Sign face. The area of a three- or four-sided Monument Sign is equal to the total area of each sign face. This measurement includes the sign, any cabinet in which it is enclosed and the electronic message center, but excludes the base of the sign.

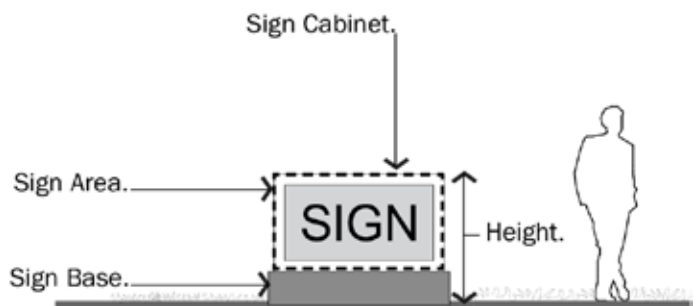
- (1) Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

**Table 9.7 (1). Monument Sign Requirements**

<b>Permitted Districts</b>	TCS, TCMU, VO, LFC
<b>Sign Area</b>	Maximum 50 square feet
<b>Height</b>	Maximum height 5'
<b>Location on the Building or Site</b>	NA
<b>Placement on the Building or Site</b>	10' Setback from driveways & side property line; 3' Setback <sup>1</sup> from front & corner property lines
<b>Quantity</b>	1 per Building
<b>Internal Illumination</b>	Permitted for individual letters and logos
<b>Materials</b>	Solid wood, stone, metal and masonry. Plastic and synthetics permitted on Sign face

Notes:

<sup>1</sup> If placed closer than five feet from the front and corner side property lines, sign must meet clear view requirements.



**Figure 9.7 (1). Monument Sign.**

### 9.8 Temporary Signs.

#### 1. Description and requirements.

A portable sign no larger than 8 square feet allowed in the public right of way. Such signs have a weighted bottom and triangular shape and shall be made of white, black, or dark green materials such as plastic or painted wood. Such signs shall be taken in to the business when the business is closed. One per business frontage is allowed.

## 10.0 Administration

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### 10.1 General Provisions

#### 1. Purpose.

It is the intent of this code to promote public health, safety, and general welfare of the community, reflecting the goals established within the General Plan of the Town of Vineyard.

#### 2. Scope of Regulations.

- (1) New Development. All development, construction, and establishment of uses within the limits of this code occurring after the effective date of this code shall be subject to all applicable regulations of this code.
- (2) In-Process Development. Where a building permit for a development has been applied for in accordance with the prior law in advance of this code's effective date, said development may comply with the plans from which the permit was approved and, upon completion, receive a certificate of occupancy (provided all conditions are met) provided the following.
  - (a) Work or construction is begun within one year of the effective date of this code.
  - (b) Work or construction continues diligently toward completion.

#### 3. Administration & Enforcement.

The Town Planner shall act as the Administrator for any proposal in the Vineyard Town Center. The provisions of this code shall be administered and enforced by the Town Planner unless otherwise specifically stated. The Town Planner shall have the ability to modify the requirements of this ordinance by 10%, if good cause is clearly demonstrated. For the purposes of this code, the term Town Planner shall be inclusive of his or her designees.

#### 4. Development Application.

Applications (form, fees, and plan sets) shall be filed with the town.

- (1) Application Form. Application forms are available from the Town.
- (2) Fees. Fee amounts are available from the Town and are due at the time the application is made; the application will be considered incomplete if fees are not paid.
- (3) Plan Set Requirements. Number of copies and minimum scale of drawings shall be noted on the application form. All plans shall be submitted in both a paper and an approved digital format. All plans shall be reviewed by the Town Planner for completeness. Incomplete applications shall be returned to the applicant for re-submission.
- (4) Filing Deadline. Filing deadlines are established by the Town and available at Town Hall.
- (5) Withdrawal of Application. Applicant may withdraw the

application whole or in part at any point in the process prior to being acted or ruled upon; new application form, fees, and plan sets are required for re-application.

- (6) Records on File. Applications and the resulting recommendations and rulings shall be kept on file by the Town Planner and shall be considered public record.
- (7) Notice requirements for adjacent property owners is not required, due to all uses are permitted uses..

#### 5. Process.

- (1) Any development within a district shall be administered in accordance with the procedures defined in existing Town ordinances.

The application shall follow the following process:

- (a) Pre-Application Meeting
  - (b) Application submittal. Only complete applications shall be accepted
  - (c) Staff review and coordination
  - (d) Permitted Use Review by the Town Planner and staff
  - (e) Staff processing of the Planning Commission approval includes letter of conditions (if any), site plan approval, architectural approval, engineering plans approval. Building permits are a separate process as per the Building Code.
  - (f) Subdivisions or condominium plats are processed by the Town Council subject to staff and Planning Commission review and recommendations.
  - (g) Development agreements shall be reviewed by the Planning Commission. The Planning Commission shall provide a recommendation to the Town council and the Town Council shall approve, deny or approve with modifications.
- (2) Exempt Activities. The following activities are exempt from the requirements of 10.0 Administration.
    - (a) Ordinary repairs for the purpose of regular building, signage, lighting or site maintenance.
    - (b) Construction within the interior of the structure that is not visible from the exterior of the building.
    - (c) Emergency repairs ordered by any town official in order to protect health and safety.

#### 6. Definitions.

If a definition can not be found in this chapter, the definitions found in the existing Town Code apply or as commonly understood.

#### 7. Conflicts.

Where conflict between this chapter and the standards in the Town Code exist, this chapter takes precedence.

# 10.0 Administration

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## 10.2 Regulations

### 1. Amending the Code.

Amendments of the adopted code shall be approved using the procedure for an ordinance amendment.

### 2. Minor Modifications to an Approved Site Plan.

The Town Planner may approve minor modifications to an approved site plan. Modifications may be evaluated through a letter of application and the provision of the reasoning behind the request. Such requests may be made for:

- (1) Minor modifications to proposed landscaping plans.
  - (a) Landscaping not exceeding 10% of the landscaping as required on the site plan. In no case can the minimum buffer adjacent to existing single-family zones be modified.
- (2) Minor modifications to buildings, including setbacks, heights, and materials.
  - (a) Building or sign locations that do not move more than 10'.
  - (b) Building materials that reflect the intent of the original material.
  - (c) Up to 10% of the approved heights
- (3) Minor modifications to parking requirements, pursuant to the development of an alternative parking plan.
  - (a) Parking arrangements and numbers that generally reflect the original approval.
- (4) Changes in lot sizes, land uses, building forms, lot line adjustments or district designations shall be subject to a zoning map or ordinance amendment.

### 3. Development Agreement.

The Town Council may, by development agreement, supersede any of the requirements found in the Vineyard Town Center Code.

### 4. Other Town Ordinances Applicable.

The provisions of this Chapter shall supersede other provisions of the Town Code, unless this Chapter is silent on the particular issue. Such conflicts shall be resolved through the Town Planner.

### 5. Subdivision Approvals and Development Standards in This District.

- (1) Commercial subdivisions shall be approved using the subdivision plat approval process established in the town code.
- (2) Residential subdivisions shall conform to the general requirements established in the town code. Residential subdivisions shall be approved using the subdivision plat approval process established in this title.